

Address:	52 Tottenham Street London W1T 4RN		2
Application Number(s):	2020/3043/P	Officer: Laura Dorbeck	
Ward:	Bloomsbury		
Date Received:	09/07/2020		

Proposal: Demolition of existing building and redevelopment to provide affordable workspace (Class B1a), and residential units (Class C3). [For consultation purposes only: Proposed building is basement plus 11 storeys, containing 4 duplexes on the upper floors (3 x 1 bed, and 1 x 3 bed), with affordable workspace at ground floor, and ancillary cycle and refuse storage at basement].

Addendum

This report is provided as an addendum to that presented to Planning Committee on 4th August 2022. This report should be read in conjunction with the previous committee report which is appended alongside the minutes of that committee meeting. Whilst Planning Committee made a resolution on the application at that meeting, the application has not been determined and the Committee are asked to consider it a fresh taking account of the information presented previously and the additional information which has been provided in this Addendum which includes a representation against the scheme and an assessment of the impact of the development on daylight/sunlight to a neighbouring office building.

Background Papers, Supporting Documents and Drawing Numbers:

Existing drawings: 297_P10.000, 297_P10.001, 297_P10.100, 297_P10.101, 297_P10.102, 297_P10.200, 297_P10.300.

Proposed drawings: 297_P20.000 A, 297_P20.100 B, 297_P20.101 A, 297_P20.102 A, 297_P20.103 A, 297_P20.104 A, 297_P20.105 A, 297_P30.100 A, 297_P30.101, 297_P30.102 A, 297_P30.103 A, 297_P30.200 A, 297_P30.201 A, 297_P30.202 A, 297_P30.203 A, 297_P40.100 A.

Demolition drawings: 297_P10.400, 297_P10.401, 297_P10.402, 297_P10.500, 297_P10.600.

Documents: Cover letter by SM Planning dated 07/07/2020, Design & Access Statement by DSDHA dated June 2020, Planning Statement by SM Planning dated 29/06/2020, Transport Statement by Royal Haskoning DHV dated 25/06/2020, Draft Construction Management Plan dated 25/06/2020, Waste storage and collection strategy by Royal Haskoning DHV dated 04/05/2020, Statement of Community Involvement dated 01/05/2020, Sustainability Statement V6 by Ensphere dated June 2020, Energy Statement V3 by Ensphere dated June 2022, Whole lifecycle carbon assessment V5 by Ensphere dated June 2022, Fire engineering RIBA stage 3 fire strategy report by Clarke Banks dated 19.03.2020, Structural inspection report by TZG

Partnership dated April 2020, Basement Impact Assessment rev 3 by CGL dated June 2020, Contamination Investigation by Risk Management dated February 2020, Phase I non-intrusive desk study by Risk Management dated February 2021, Unexploded ordnance threat assessment by Risk Management dated 15/02/2021, Noise and vibration impact assessment by Sandy Brown dated 22/06/2020 and addendum dated 22/07/2022, Air quality assessment by Wyg dated April 2020, Daylight and sunlight report V1 by Point 2 Surveyors dated June 2020 and addendum dated 21/07/2022, Affordable Housing Statement by DS2 LLP dated 15/06/2020.

Recommendation Summary: Grant conditional planning permission following (i) referral to Mayor of London for his direction and (ii) completion of Section 106 Legal Agreement.

Applicant:	Agent:
Flower Island (UK) Ltd 21-27 Lamb's Conduit Street London WC1N 3GS	SM Planning 80-83 Long Lane London EC1A 9ET

Analysis Information

Land Use Details:			
	Use Class	Use Description	Floorspace (Gross Internal Area GIA sqm)
Existing		<i>C3 Dwelling House</i>	171
		<i>A1 Retail</i>	79
		TOTAL	250
Proposed		<i>C3 Dwelling House</i>	681.6 (+ 510.6)
		<i>A1 Retail</i>	0 (- 79)
		<i>B1 Business - Office</i>	21.3 (+21.3)
		TOTAL	702.9 (+ 452.9)

Residential Use Details (Existing):						
	Residential Type	No. of Bedrooms per Unit				Total
		1	2	3	4	
Market	Flat	4	0	0	0	4

Residential Use Details (Proposed):						
	Residential Type	No. of Bedrooms per Unit				
		1	2	3	4	Total
Market	Flat	3	0	1	0	4

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

Officers' Report

Reason for Referral to Committee

The total or substantial demolition of any listed building, locally listed building, or building considered to make a positive contribution to a conservation area [clause 3(iii)].

Referral to the Mayor

This application is referable to the Mayor of London under the provisions of Category 1C of the Schedule to the Town & Country Planning (Mayor of London) Order 2008: "Development which comprises or includes the erection of a building of (c) more than 30 metres high and is outside the City of London".

Once Camden has resolved to determine the application, it is required to refer it back the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

Background

- 1.1 The planning application is for the demolition of the existing five storey building and the erection of a replacement 11 storey plus basement building to provide affordable workspace (Class B1a), and four residential units (Class C3).
- 1.2 On 4th August 2022, the application was presented to Planning Committee. Members agreed with the officer recommendation to grant planning permission subject to a section 106 agreement. The full officer report is attached to this addendum.
- 1.3 Following Planning Committee, a Stage II Referral was sent to the Greater London Authority (GLA) on 9th August 2022. In response, the GLA confirmed on 24th October 2022 that they are content to allow the local planning authority to determine the case itself, subject to any action that the Secretary of State

may take, and do not therefore wish to direct refusal or take over the application for their own determination.

Late objection

- 1.4 Since being heard at Planning Committee, an objection has been received from the occupier of the neighbouring office building no.30 Cleveland Street on the following grounds (summarised):

Consultation

- Take-Two (the occupier) relocated to 30 Cleveland Street in late 2019 and due to refurbishment works, took occupation in June 2021.
- Take-Two were unaware of the proposed development or planning application until it went to committee. Take-Two's move to Cleveland Street was well publicised so the developer should have known the building was vacant and undergoing refurbishment.
- The pre-application consultation took place during the pandemic. The public consultation undertaken (flyers, public exhibition, meeting, newsletter, and the Council's site notices and press adverts) were insufficient for the following reasons – consultation was undertaken two years prior to submission when Take-Two were not in occupation, the meeting was exclusive and non-public, newsletters were circulated during early stages of lockdown and site notices and press adverts were displayed during government advice to work from home.

Impact of the development

- No assessment has been made of the impact on 30 Cleveland Street. The report focuses on the impact on neighbouring residential amenity.
- The proposed extension would block the roof terraces and the windows at the rear of 30 Cleveland Street. There would be substantial harm to the amenity provided by the roof terraces at the rear of the building in terms of loss of light and a sense of enclosure.
- There would be a significant impact on light and therefore, the usability of the roof terraces. BRE Guidelines note that care should be taken to safeguard access to sunlight for existing dwellings and any nearby non-domestic buildings where there is a particular requirement for sunlight.
- The conclusion that there would be no harm to neighbouring amenity was fundamentally flawed. Concluding that the proposal complied with policy A1 was incorrect.
- Daylight and sunlight to the terraces at no.30 is a major part of our certification by Fitwel (certification system for building health focused on health and wellbeing of occupants). The amenity provided by the roof

terraces at 30 Cleveland Street is intrinsically linked to its quality and attractiveness as an office. This amenity would be irrecoverably damaged by the proposal, with resultant impacts on the wellbeing of the current occupiers and users of the site.

- The design and appearance of the new building is out of keeping with the immediate surroundings.

Future impacts

- Specific reference must be made to us in the consultation requirements of a future construction management plan.
- The draft noise condition must also specify that the limit on noise output from future plant applies to noise sensitive areas which include no.30.
- It is concerning that there has not been a detailed Construction Management Plan or a Delivery and Servicing Plan required as part of the planning application.

Officer response

Consultation

- 1.5 A mixture of stakeholder meetings, public consultation events and workshops were held as well as flyer distribution at early pre-app and following design amendments pre-submission. In terms of consultation on the submitted application, the measures undertaken are set out in section 7 of the original committee report, and as stated, they are considered sufficient meeting both the legal requirements and those of the Statement of Community Involvement (2016). Camden also has a well-advertised facility for residents and businesses to sign up to an e-alerts system to be notified of any planning applications submitted at and around a given address.

Impact on daylight / sunlight to 30 Cleveland Street

- 1.6 Policy A1 states that the Council will seek to protect the quality of life of occupiers and neighbours, seeking to ensure the amenity of communities, occupiers and neighbours is protected. It goes on to state that we will consider various factors including sunlight, daylight and overshadowing. The development plan supports the use of the BRE guidance for assessment purposes, however, it should not be applied rigidly and should be used to quantify and understand impact when making a balanced judgement.
- 1.7 Paragraph 125 of the NPPF supports making efficient use of land and says that authorities should take a flexible approach in applying policies or guidance relating to daylight/sunlight where they would otherwise inhibit making efficient

use of a site, as long as the resulting scheme would provide acceptable living standards.

- 1.8 In response to the concerns raised, the applicant's daylight surveyors Point 2 Surveyors Limited submitted an addendum to their original daylight and sunlight report specifically looking at the impacts to no.30, noting that it is not standard practice to assess the internal daylighting conditions to office accommodation.
- 1.9 The report assessed the impact to the east facing windows of no.30 and a subsequent report assessed overshadowing of the external terraces. The windows in question serve the lightwell at no.30 and can be seen in the aerial view in figure 1 and are marked on the typical floor plan in figure 2. The application site is shown in red on figure 1.



Figure 1: Aerial view showing the lightwell serving no.30

- 1.10 The methodology and criteria used for the assessment is provided by the Building Research Establishment's (BRE) guidance 'Site layout planning for daylight and sunlight: A guide to good practice'. The BRE guide says... "The guidelines given here are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens, and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas, and garages need not be analysed. The guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of

daylight; this would normally include schools, hospitals, hotels, and hostels, small workshops, and some offices.”

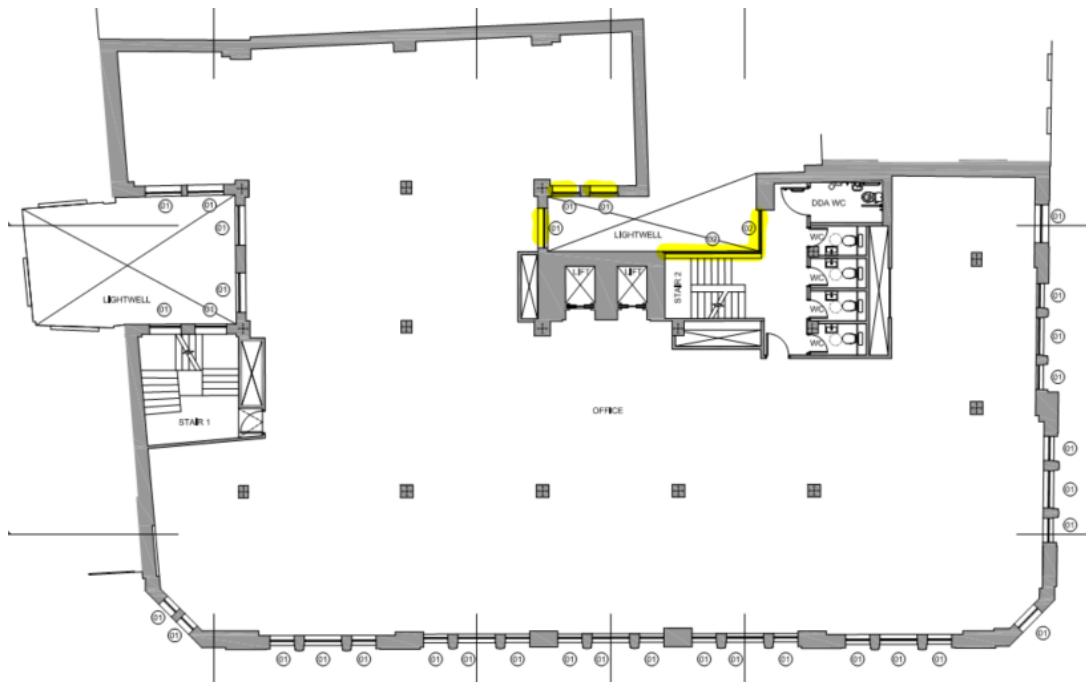


Figure 2: Typical floor plate at no.30 (taken from planning application ref. 2016/7076/P). East facing windows shown highlighted yellow.

- 1.11 The Council’s Amenity CPG notes that although it is normally only residential uses that are assessed in daylight and sunlight reports, there may also be non-residential uses, existing nearby or proposed as part of the application, that are particularly sensitive to light and so justify a report. Neither the CPG nor the Local Plan provide a definition of what constitutes a sensitive use, leaving it to officer discretion as to what it is reasonable to consider could be impacted. However, it is noted that the noise policies in the Local Plan also refer to sensitive uses, citing housing as a sensitive use, as well as development such as hospitals and schools (para. 6.90). It is therefore reasonable to assume that sensitive uses with regard to daylight would also include hospitals and schools, as well as community facilities, events/leisure spaces, or any space important for health and wellbeing. Although some office use has a reasonable expectation of sunlight, generally these buildings will be artificially lit throughout the day, and therefore less weight would be given to their internal daylighting requirements in the overall assessment. The BRE guidance and the Camden Local Plan do not require or suggest external amenity space should be provided for office use, but officers acknowledge there is an increased expectation for amenity space in office development following the pandemic to encourage people back to the workplace.

Internal daylight and sunlight

- 1.12 To assess the impact on daylight to the neighbouring windows, the assessment used the same tests conducted on the neighbouring residential windows - the Vertical Sky Component (VSC) test and the No-Sky Line (NSL) test.
- 1.13 The VSC is calculated at the centre point of each affected window on the outside face of the wall in question. A window looking into an empty field will achieve a maximum value of 40%. BRE guidelines suggest that 27% VSC is a good level of daylight. If a window does not achieve 27% VSC as a result of the development, then it is assessed whether the reduction in value would be greater than 20% of the existing VSC – which is when the reduction in light would become noticeable to occupants. However, officers consider that VSCs lower than 27% are normal for densely-built urban areas, with 20% still considered acceptable.
- 1.14 The results show that all windows tested would see VSC losses of more than 20%, with losses ranging from 35 to 75%. However, it is noted that these windows already have very low VSC scores ranging from 1.11 to 4.64 on the lower floors and 6.67 to 17.25 on the upper floors (where BRE guidance suggests 27% VSC is a good level of daylight). Given the existing low scores, any impact on these windows would see a disproportionately large percentage loss.
- 1.15 The NSL test calculates the distribution of daylight within rooms by determining the area of the room at desk / work surface height (the 'working plane') which can and cannot receive a direct view of the sky and hence 'sky light'. The working plane height is set at 850mm above floor level within residential properties. The guidance states that reductions of more than 20% of the existing NSL value would be noticeable (i.e. levels of NSL are reduced to less than 0.8 times their former value).
- 1.16 The NSL assessment showed that all windows tested would meet the BRE guidance with losses ranging from 2.8 to 15.2% (less than 20%).
- 1.17 Although the windows tested do not meet the recommendations for VSC set out in the BRE guidance, further consideration must be given to their existing low levels, as well as the rooms that these windows serve. On one side of the lightwell, the windows serve an internal stair well and toilets across the ground to fifth floors. The BRE guidance notes that in habitable dwellings windows to bathrooms, toilets, storerooms and circulation areas need not be analysed. As an office building, these areas are likely to be served by electric lighting, and as utilitarian areas, it is not considered that these spaces have a high expectation for natural light. At sixth floor level, the lightwell window seems to serve a

section of the office floor area measuring approximately 7.2m deep which is also served by an expanse of south facing windows on the opposite wall.

- 1.18 The remaining windows (to the north side of the lightwell) serve the open plan office floor plate, which is also served by windows onto a north facing lightwell, and a number of windows along the west and south elevations. At fourth and fifth floor there are also large east facing windows. There are no windows in this location at sixth floor level due to the positioning of a plant enclosure. Although there would be an impact on the windows serving the internal office spaces, the remainder of the office floorplate would be served by a multitude of other windows and as such, the overall impact on the internal daylight and sunlight to the office floors is considered acceptable, especially considering the widespread use of electric lighting in office development.



Figure 3: Photo of internal office layout at no.30 taken from Barr Gazetas website

Overshadowing of external terraces

- 1.19 Due to the concerns raised regarding overshadowing of the external terraces at no. 30, Point 2 also conducted an overshadowing analysis. The Sun on Ground (SoG) analysis was undertaken to establish the sunlight availability to

the external terrace spaces at no.30. The BRE guidelines outline a criteria that 50% of the defined area should receive at least 2 hours in sunlight on March 21st or record a change of no greater than 0.8 times its former value (a loss of 20%).

1.20 The analysis shows that the external terraces would not meet the BRE's target value on March 21st when the development is in place. Point 2 also used software that allows the sun's path to be tracked on March 21st which shows that the outdoor terraces would continue to receive moments of sunlight between 12.00 – 13.30pm, when lunch time is commonly taken.

1.21 The locations of the existing terraces serving no. 30 are shown in figure 4.

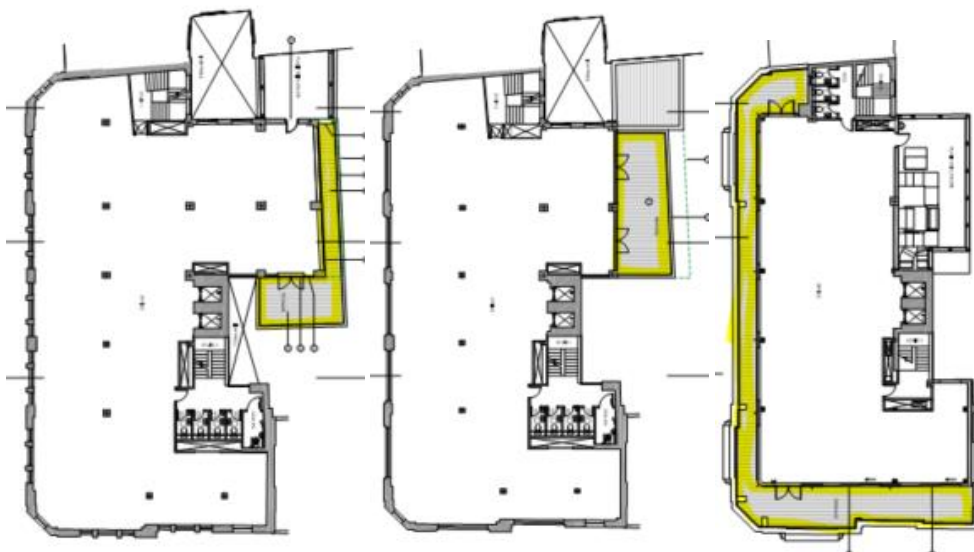


Figure 4: (L to R – 4th floor, 5th floor and 6th floor terraces)

1.22 The results of the overshadowing analysis on March 21st are shown in figure 5. It is noted that an area of rooftop was assessed as an external terrace which is not used as such. It is therefore not considered in this assessment (the area marked as 42.0% in figure 5 below).

1.23 It can be seen that 0% of the lower terrace at fourth floor level receives 2 hours of sunlight on March 21st in the existing arrangement, and this would remain the same following the completion of the development. The upper terrace at fifth floor received 2 hours of sunlight across 43% of the terrace in the existing arrangement and this would be reduced to 0%.

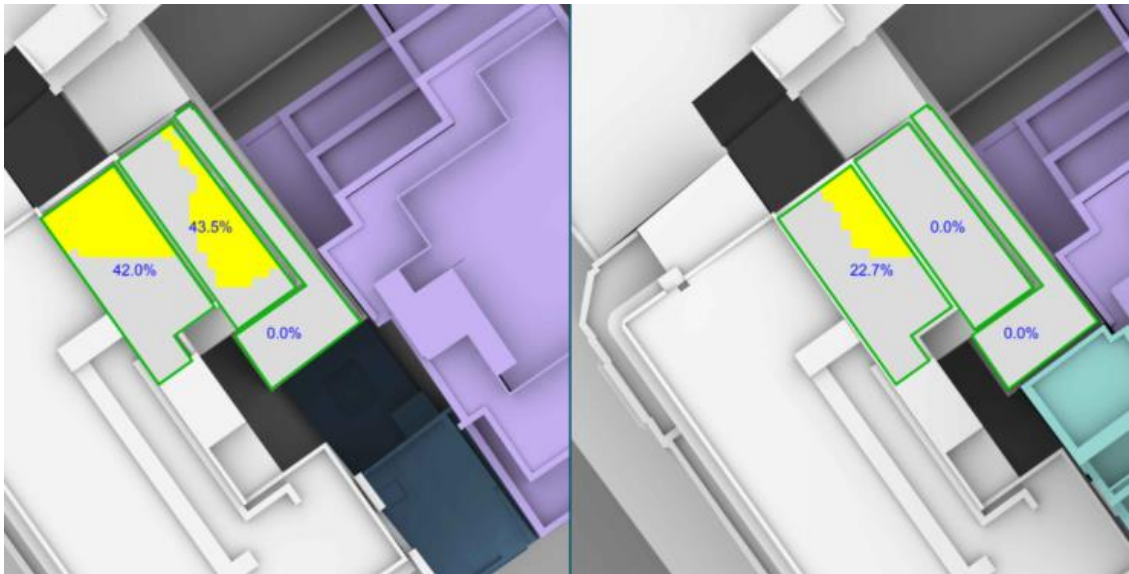


Figure 5: 2 hours in sun test on March 21st (L – existing, R – proposed).

- 1.24 On June 21st, 51.5% of the fourth floor terrace receives 2 hours of sunlight which would be reduced to 0% and 85.5% of the fifth floor terrace received 2 hours of sunlight which would be reduced to 29.4%.

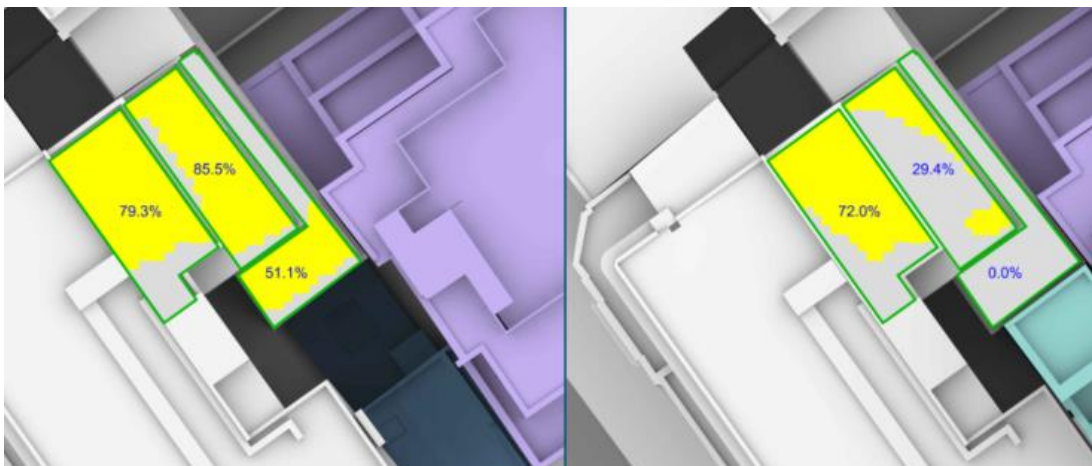


Figure 6: 2 hours in sun test on June 21st (L – existing, R – proposed).

Applicant response

- 1.25 In response to the submission of the additional daylight and sunlight analyses, a further objection was received from no.30 alongside their own overshadowing analysis prepared by Schofield Surveyors. The objection again raised concerns regarding the overshadowing impact on the fourth and fifth floor terraces.
- 1.26 The objection also raised concerns with the analysis carried out by Point 2, referencing the rooftop area which is not in use as amenity space but which had been included in the assessment (which is addressed in paragraph 1.20 above), and the fact that the VSC and NSL assessments only considered the

windows serving the stairwell. The officer assessment has been made on the basis that all windows tested would not meet BRE guidance for VSC levels, yet for the reasons set out in paragraph 1.16, the impact on internal daylight and sunlight levels is considered acceptable due to the large number of south and west facing windows serving the building. The information provided by Point 2 (alongside the objector's submission) is therefore considered sufficient to allow officers to make an assessment of the impacts on daylight/sunlight to 30 Cleveland Street.

- 1.27 The assessment provided by Schofield Surveyors provides additional overshadowing assessments for the fourth and fifth floor terraces across the months of March – August, again demonstrating that there would be a reduction of daylight to these terraces following the development.
- 1.28 In response, the applicant's surveyors, Point 2, undertook an additional extended transient overshadowing analysis, separate to the 2 hour in sun assessment. The transient overshadowing assessment identifies the obstructions adjoining the amenity spaces that have a shadow effect – i.e. the existing shadows experienced by 30 Cleveland Street, compared against the shadow cast by the proposal. Point 2 conclude that it is arguable whether there is a material worsening of overshadowing to the outside terraces at 30 Cleveland Street compared to the existing baseline where the terraces experience a of overshadowing caused by 30 Cleveland Street's own configuration.
- 1.29 Officers acknowledge that there would be a noticeable loss of sunlight to these two terraces compared to the existing situation. However, it is important to note that these are two of three terraces within the building that the occupier has access to, with an additional large terrace at sixth floor level which wraps around the western and southern elevations (shown in figures 4 and 7). Due to this orientation, it is likely to receive a significant amount of sunshine across the afternoon and early evening when it is most likely to be in use by office occupants. Although two of the three terraces would see a loss of daylight/sunlight, the building is still considered to benefit from a high quality of external amenity for its occupants, with a number of terraces that can be accessed, with staff having a choice of a sunnier terrace to the south and west or a more shaded external space to the east. Office workers would also have the option of utilising the areas of open space surrounding the building such as Whitfield Gardens, a three minute walk away, and Russell Square, a ten minute walk away.

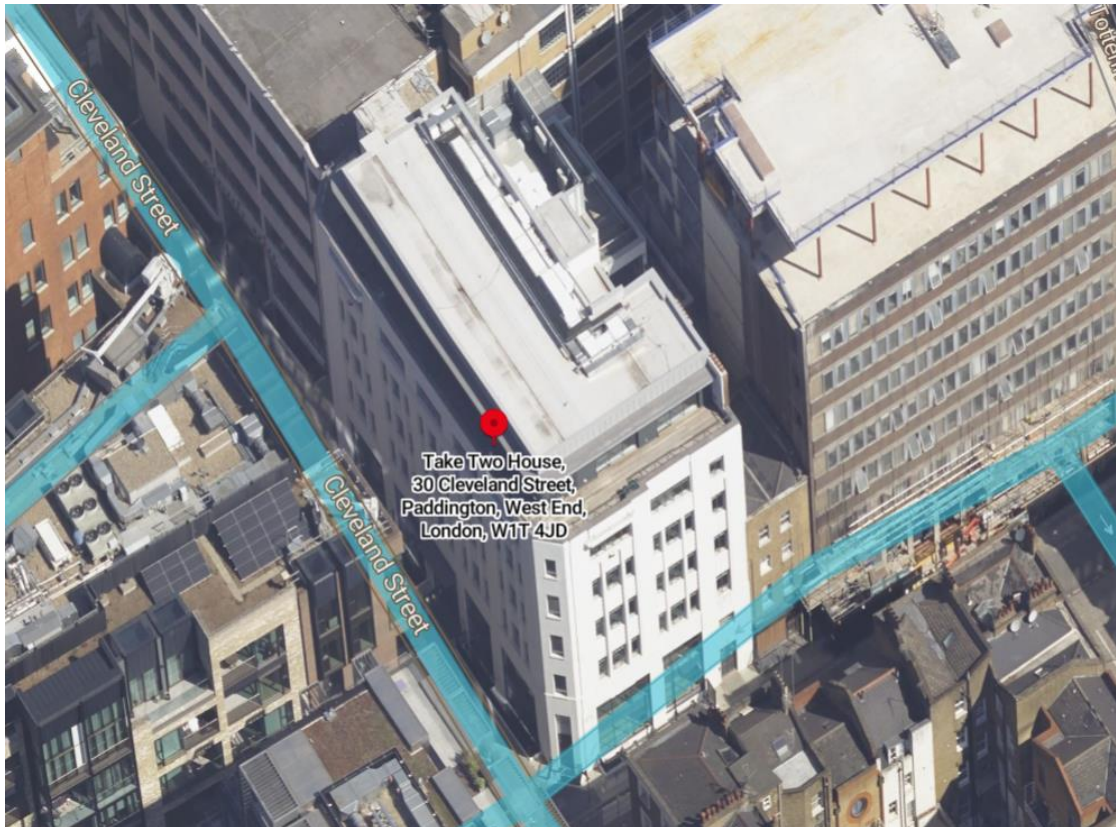


Figure 7: Aerial view showing 6th floor terrace to the south and west elevation

1.30 The harm to the amenity of office workers is therefore given some minor weight in the overall assessment of the development; however, the planning benefits brought forward by the scheme as outlined in the officer committee report are still considered to outweigh the harm to the neighbouring office building. these include:

- Provision of a new sustainable building which exceeds carbon reduction targets.
- The replacement of four substandard homes with four new homes which provide a high quality of accommodation, are accessible and adaptable, and benefit from outside amenity space.
- A new mix of dwelling sizes which includes a larger three bedroom family home.
- Provision of new high-quality affordable office accommodation which would cater to small and medium sized enterprises.
- Provision of level access to the building which is not currently provided.
- Overall improvement to townscape and streetscene.
- Creating car-free development which promotes more sustainable forms of transport.
- Investment in Camden economy through local procurement during construction.
- Opportunities for local people to undertake construction apprenticeships.

- 1.31 It is noted that there are also external terraces serving the office development at neighbouring Arthur Stanley House to the north east of the application site, located at third, fourth, fifth, sixth and seventh floor level (shown in figure 8).

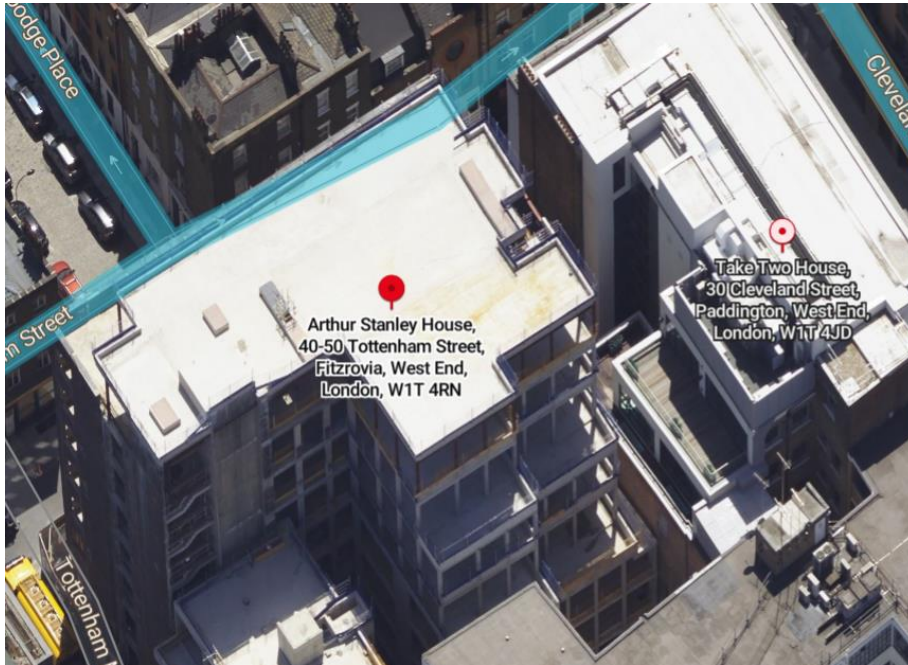


Figure 8: Terraces to the rear of neighbouring Arthur Stanley House

- 1.32 However, these are north facing and largely overshadowed by the existing building's configuration, and as such, the proposed development is not considered to overshadow or materially impact these spaces.

Other issues

- 1.33 In response to the remaining issues raised by the objector:
- *Specific reference must be made to us in the consultation requirements of a future construction management plan – all CMPs are expected to demonstrate community consultation of at least two weeks prior to the submission of the CMP to the Council for approval, and to demonstrate how any comments raised have been addressed.*
 - *The draft noise condition must also specify that the limit on noise output from future plant applies to noise sensitive areas which include no.30 – The Council's standard noise condition is proposed, as was also imposed on the approval for the redevelopment of no.30 (ref. 2016/7076/P).*
 - *It is concerning that there has not been a detailed Construction Management Plan or a Delivery and Servicing Plan required as part of the planning application – A draft construction management plan has been submitted with the application, and a final CMP shall be secured*

by S106 agreement, as is standard. It is not reasonable to require a detailed CMP at application stage when a principal contractor is yet to be appointed. The Council's Transport Officer has confirmed a delivery and servicing plan is not required due to the small uplift in residential units and workspace which would result in a negligible increase in both person and servicing trips to the site. Servicing and refuse trips would occur in a similar way to the existing arrangements, with single yellow lines utilised by servicing vehicles.

Conclusion

- 1.34 The proposed development is considered a well-considered scheme, and the overall assessment and conclusion outlined in section 23 of the previous committee report – that the proposal would be a favourable sustainable development that is in accordance with relevant national and regional policy, the Camden Local Plan and the Fitzrovia Area Action Plan – is still considered to be the case. It is acknowledged that there would be some overshadowing of two of the three external terraces at neighbouring office building 30 Cleveland Street, and minor weight is given to this in the overall assessment. Likewise, there would be some minor harm from the loss of the positive contributor, which despite being at the lower end of less than substantial, is given considerable importance and weight as required by the relevant sections of the Listed Building Act. However, this harm would be outweighed by the planning benefits brought forward by the replacement building and the scheme as a whole, as set out in paragraph 1.30 above.
- 1.35 The officer recommendation therefore remains that planning permission is granted subject to conditions and a Section 106 Legal Agreement covering the Heads of Terms listed in paragraph 24.1 of the previous committee report.

Appendices

Appendix 1 – Minutes from previous Planning Committee on 4th August 2022

Appendix 2 – Previous committee report

Appendix 1 – Minutes from previous Planning Committee on 4th August 2022

Agenda item 8(4)

THE LONDON BOROUGH OF CAMDEN

At a meeting of the **PLANNING COMMITTEE** held on **THURSDAY, 4TH AUGUST, 2022** at 7.00 pm in The Council Chamber, Crowndale Centre, 218 Eversholt Street, London, NW1 1BD

MEMBERS OF THE COMMITTEE PRESENT

Councillors Heather Johnson (Chair), Edmund Frondigoun (Vice-Chair), Sagal Abdi-Wali, Lotis Bautista, Danny Beales, Lloyd Hatton, Liam Martin-Lane and Andrew Parkinson

MEMBERS OF THE COMMITTEE ABSENT

Councillors Nasrine Djemai, Will Prince, Tom Simon and Sue Vincent

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of the Planning Committee and any corrections approved at that meeting will be recorded in those minutes.

MINUTES

1. GUIDANCE ON HYBRID MEETINGS

RESOLVED –

THAT the procedures for hybrid meetings be agreed.

2. APOLOGIES

Apologies for absence were received from Councillors Nasrine Djemai, Will Prince, Tom Simon and Sue Vincent.

Apologies for late ness were received on behalf of Councillor Danny Beales.

3. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

There were no such declarations.

4. ANNOUNCEMENTS

Webcasting

The Chair announced that the meeting was being broadcast live to the internet and would be capable of repeated viewing and copies of the recording could be made available to those that requested them. Those seated in the Chamber were deemed to be consenting to being filmed. Anyone wishing to avoid appearing on the webcast should move to one of the galleries.

Item 8(2) and 8(3), Minerva House and Telephone Exchange, 1-4 North Crescent and 5 North Crescent, London WC1E 7PH.

The Chair informed the Committee that the Minerva House Telephone Exchange application had been withdrawn from the agenda this evening and would not be considered due to late information received that an application had been made to Historic England to have the Telephone Exchange building listed. In light of Camden's practice with similar cases, the application would not be considered by the Committee until the listed building application had been determined by English Heritage.

5. REPRESENTATIONS TO THE COMMITTEE

RESOLVED –

THAT the written submissions and deputation requests contained in the supplementary agenda and tabled paper be accepted.

6. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

There were no such items.

7. MINUTES

RESOLVED –

THAT the Minutes of the meetings held on 9th June 2022 and 7th July 2022 be agreed.

8. PLANNING APPLICATIONS

Consideration was given to the report of the Executive Director Supporting Communities.

8(1) AGAR GROVE ESTATE (BLOCK B), NW1 9SS

Consideration was also given to the information provided in the Supplementary Agenda and the Tabled Paper.

The Head of Development Management provided members with a reminder of the scope of a Section 73 application, explaining that it sought to make minor material amendments to an approved planning permission. There was already planning permission for the whole of Agar Grove Estate which had been approved by the Planning Committee and was currently being implemented, this presented a fallback position. However, the Committee was being asked to agree amendments to the condition which was attached to that planning permission which set out the approved plans and documents to allow for changes. Although a S73 application created a new planning application and it was necessary to consider the scheme as a whole, the fallback was a material consideration so the focus was on the amendments and any policy changes relevant to those amendments. The amendments related solely to Block B.

The Planning Officer introduced the application.

In response to members questions Planning Officers made the following comments:

- In relation to GLA comments about energy proposals not complying with London Plan Policies S13 and S14, their main questions were in relation to understanding if there was any scope for a network connection in this area. The potential for a network connection was discussed during the original application and it was accepted that it was not necessary at the time. More information was also requested in the way the buildings were going to be provided with heating and electricity. As part of the development there were not massive changes, the initial permission granted was that the building would be heated by gas boilers. This, however, was changing as fossil fuels were being reduced for all developments, what was now being proposed was Air Source Heat Pumps throughout the building but more information was required to establish how that would correspond to current London Plan Policies.

The Head of Development Management commented that planning officers had been in discussion with the GLA throughout the process and there was an ongoing

Planning Committee - Thursday, 4th August, 2022

dialogue between the Council, the applicant and the GLA and that was why officers were seeking delegated authority from the Committee to make potential changes to conditions post Committee just in case GLA requested amendments to the wording. Officers did not envisage any fundamental changes to the scheme in terms of its energy strategy, in the event of this happening the application would need to come back to Committee for approval.

Invited to comment in response to a committee member's question on whether there was scope to increase affordable housing, the applicant advised that they could look at providing the lost units as part of later phases of the development.

The Planning Officer informed the Committee that the permission granted was not 100% policy compliant in terms of the amount of social housing, the changes represented a difference of 0.7% compared to what was initially granted.

The Head of Development Management clarified to members that the conditions officers were asking the Committee to impose were those set out in the Planning Committee Supplementary Agenda, but with conditions 2, 26 and 52 amended by the tabled paper.

Officers were also requesting delegated authority to make further changes to the wording of conditions but only in so far as was required to address any GLA stage II comments and to deal with any more Approval of Detail applications being approved prior to the issuing of this decision.

On being put to the vote, with 7 unanimously in favour, it was

RESOLVED –

THAT conditional planning permission be granted following

- (i) Referral to the Mayor of London for his direction;
- (ii) Completion of a 'shadow' Section 106 legal agreement; and
- (iii) Delegated authority for officers to amend conditions as required for the reasons set out in the supplementary agenda and tabled paper.

**ACTION BY: Director of Economy, Regeneration & Investment
 Borough Solicitor**

**8(2) MINERVA HOUSE AND TELEPHONE EXCHANGE, 1-4 NORTH
 CRESCENT AND 5 NORTH CRESCENT, LONDON WC1E 7PH**

8(3) RELATED APPLICATION

This application was withdrawn for the reasons highlighted at item 4 above.

8(4) 52 TOTTENHAM STREET, LONDON W1T 4RN

The Planning Officer introduced the application.

In response to members questions Planning Officers made the following comments:

- In relation to affordable housing and policy H4, the trigger to provide affordable housing was an uplift of 100 square metres and one new home. However, in this case because there was no uplift in the number of homes it did not meet the trigger.
- For the level of floor area there was a possibility of providing more flats however in reality this was not possible. The site was very constrained and very narrow it was single aspect and the top flat was spread over 4 floors. Even though the building was quite tall each floor was a single bedroom, officers were of the view that it would not be practicable to have more units on site and in the event of this happening it could result in the loss of the large family home which officers felt was a benefit of the scheme.
- If the application came back as a variation, then it would need to be reassessed against current policies, if it then met the trigger the Council would obtain a financial contribution towards affordable housing.
- With regards to the affordable workspace, as soon as the development was completed and occupied, the unit would benefit from Class E use. If the Planning Authority wanted to secure the office use and restrict it from being changed to any other use within this class it could be done by condition. If it were not affordable workspace, it would be left as unrestricted class E use.
- It would be up to the applicant to decide how many businesses would occupy the affordable workspace.

On being put to the vote, with 8 unanimously in favour, it was

RESOLVED –

THAT conditional planning permission be granted following

- (i) Referral to the Mayor of London for his direction;
- (ii) Completion of a shadow Section 106 legal agreement; and
- (iii) Delegated authority for officers to amend conditions as required for the reasons set out in the officer's report.

**ACTION BY: Director of Economy, Regeneration & Investment
Borough Solicitor**

8(5) 208 WEST END LANE, LONDON NW6 1UY

8(6) RELATED APPLICATION

Consideration was also given to the written submissions and deputation requests referred to in Item 5 above.

In response to members questions the Planning officer made the following comments:

With regards to the bi-folding doors facing out on to Fawley Road, members were required to assess the application and possible impacts presented to the Committee rather than possible hypothetical schemes or variations to the application that the applicant could have done.

Officers had looked at the application and assessed that there possibly could be an impact on the residential area. That was why officers had suggested conditions, including the opening hours of the doors to be limited and music not to be played so it would be audible outside the premises.

In terms of why the bi-folding doors were not opening onto West End Lane, the applicant had decided to locate the bi-folding doors on Fawley Road and officers had considered that to be acceptable with conditions to mitigate any impact it could have.

Officers had assessed the application against policy and were of the view that conditions such as limiting the opening hours of the bi-folding doors would mitigate the impact. This had been recommended to members. If members felt those conditions and the hours should be different then that was a decision for the Committee. Officers had considered the noise that could come from the premises and were of the view that the hours recommended were suitable for this location.

Some residents had also expressed concerns about seating outside but this was not something officers could consider when assessing the application. Outside seating could happen irrespective of this application.

A member commented that they would be in favour of the bi-folding doors closing at 7pm rather than 9pm given they were on Fawley Road, due to children's bedtimes and change in working patterns.

Planning Committee - Thursday, 4th August, 2022

Inviting the depute to comment on what was a suitable hour for the bi-folding to close, the depute informed the Committee that he would prefer that the bi-folding doors did not open on to Fawley Road at all, but, if this were not possible then the earlier the closing time the better, limiting opening hours of the bi-folding doors to 7pm would be highly appreciated.

The Head of Development Management advised that it was not for the Committee to redesign the applicants' scheme. An application had been made for bi-folding doors on Fawley Road and that was what the Committee had been asked to assess. Officers were of the view that given the location of the premises it would not be unreasonable for the applicant to have bi-folding doors but it was also accepted that there were residential close to commercial uses and hours had been suggested to mitigate that impact. She remarked that if the Committee were of the view that bi-folding doors were unacceptable in this location then there was the option to refuse the application. If on the other hand the Committee felt that the bi-folding doors were acceptable with the hours officers had suggested then the Committee could vote in accordance with officers' recommendations or the Committee could put forward more restrictive hours.

Answering further member questions, the Planning Officer gave the following responses:

The delivery hatch had been taken away, the use of the premises had not started and there was no breach of planning control.

The applicant had provided information to officers that the predominant use of the new business that they intended to open would be restaurant use.

In terms of this scheme, it was being assessed on the basis of the changes to the shopfront only, should they open and if concerns were raised about the proportion of takeaways, then the Council could look at serving a Planning Contravention Notice.

The Planning Officer reminded members that the use of the premises had not started so it could not be predicted what the percentage of takeaway compared to eating in would be. She further reiterated that the application before members was alterations to the building not anything in relation to the use, advising members that it could be looked at in a couple of months if there were operational concerns, a contravention notice could be served which would ask questions regarding the split of sales from people eating in and people taking food away.

The Head of Development Management emphasised to members that the Committee was required to assess the application on the physical works presented and on their own merits. If they were to open and it was determined that it was operating outside the use class that would be when the Planning Authority could act.

Planning Committee - Thursday, 4th August, 2022

A member queried whether comments made in the deputation statement and written submission were accurate portrayals of what this business would be like. In response the depute said that Fawley Road was purely residential, objectors were fixated on this particular property as it was right at the heart of the area covered by the local Neighbourhood Plan and at the heart of the conservation area, so it was believed to be in a pretty unique position. It was an encroachment on to a residential road that did not happen any-where else.

Officers did not consider this application contrary to the Neighbourhood Plan, it had been assessed by looking at the external alterations, the character and appearance of the shopfront and the impact that would have. The shopfront alterations and signage were considered to be acceptable by officers and not considered to be harmful to the wider conservation area.

On being put to the vote it was, with 7 votes against and 1 abstention, it was

RESOLVED -

- (i) THAT the officer recommendation should be rejected,

After discussion, a motion was proposed and seconded that the application be granted subject to the following conditions

- Condition 5 on the planning permission for the bi-folding doors only to be open during the hours 09.00 and 19.00 Monday-Saturday and
- 11.00-19.00 Sunday.
- Plus, an additional condition, that the flue must only be for intake of air and not for extraction.

On being put to the vote it was, with 4 votes in favour 2 against and 2 abstentions, it was

RESOLVED -

- (i) **Grant conditional planning permission subject to the above conditions;
and**
- (ii) **Grant conditional advertisement consent**

**ACTION BY: Director of Economy, Regeneration and Investment Borough
Solicitor**

9. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was none.

The meeting ended at 8.38 pm.

CHAIR

Contact Officer: Sola Odusina

Telephone No: 020 7974 6884

E-Mail: planningcommittee@camden.gov.uk

MINUTES END

Appendix 2 – Previous committee report

Address:	52 Tottenham Street London W1T 4RN		4
Application Number(s):	2020/3043/P	Officer: Laura Dorbeck	
Ward:	Bloomsbury		
Date Received:	09/07/2020		
<p>Proposal: Demolition of existing building and redevelopment to provide affordable workspace (Class B1a), and residential units (Class C3). [For consultation purposes only: Proposed building is basement plus 11 storeys, containing 4 duplexes on the upper floors (3 x 1 bed, and 1 x 3 bed), with affordable workspace at ground floor, and ancillary cycle and refuse storage at basement].</p>			
<p>Background Papers, Supporting Documents and Drawing Numbers:</p> <p>Existing drawings: 297_P10.000, 297_P10.001, 297_P10.100, 297_P10.101, 297_P10.102, 297_P10.200, 297_P10.300.</p> <p>Proposed drawings: 297_P20.000 A, 297_P20.100 B, 297_P20.101 A, 297_P20.102 A, 297_P20.103 A, 297_P20.104 A, 297_P20.105 A, 297_P30.100 A, 297_P30.101, 297_P30.102 A, 297_P30.103 A, 297_P30.200 A, 297_P30.201 A, 297_P30.202 A, 297_P30.203 A, 297_P40.100 A.</p> <p>Demolition drawings: 297_P10.400, 297_P10.401, 297_P10.402, 297_P10.500, 297_P10.600.</p> <p>Documents: Cover letter by SM Planning dated 07/07/2020, Design & Access Statement by DSDHA dated June 2020, Planning Statement by SM Planning dated 29/06/2020, Transport Statement by Royal Haskoning DHV dated 25/06/2020, Draft Construction Management Plan dated 25/06/2020, Waste storage and collection strategy by Royal Haskoning DHV dated 04/05/2020, Statement of Community Involvement dated 01/05/2020, Sustainability Statement V6 by Ensphere dated June 2020, Energy Statement V3 by Ensphere dated June 2022, Whole lifecycle carbon assessment V5 by Ensphere dated June 2022, Fire engineering RIBA stage 3 fire strategy report by Clarke Banks dated 19.03.2020, Structural inspection report by TZG Partnership dated April 2020, Basement Impact Assessment rev 3 by CGL dated June 2020, Contamination Investigation by Risk Management dated February 2020, Phase I non-intrusive desk study by Risk Management dated February 2021, Unexploded ordnance threat assessment by Risk Management dated 15/02/2021, Noise and vibration impact assessment by Sandy Brown dated 22/06/2020 and addendum dated 22/07/2022, Air quality assessment by Wyg dated April 2020, Daylight and sunlight report V1 by Point 2 Surveyors dated June 2020 and addendum dated 21/07/2022, Affordable Housing Statement by DS2 LLP dated 15/06/2020.</p>			

Recommendation Summary: Grant conditional planning permission following (i) referral to Mayor of London for his direction and (ii) completion of Section 106 Legal Agreement.

Applicant:	Agent:
Flower Island (UK) Ltd 21-27 Lamb's Conduit Street London WC1N 3GS	SM Planning 80-83 Long Lane London EC1A 9ET

Analysis Information

Land Use Details:			
	Use Class	Use Description	Floorspace (Gross Internal Area GIA sqm)
Existing		<i>C3 Dwelling House</i>	171
		<i>A1 Retail</i>	79
		TOTAL	250
Proposed		<i>C3 Dwelling House</i>	681.6 (+ 510.6)
		<i>A1 Retail</i>	0 (- 79)
		<i>B1 Business - Office</i>	21.3 (+21.3)
		TOTAL	702.9 (+ 452.9)

Residential Use Details (Existing):						
	Residential Type	No. of Bedrooms per Unit				
		1	2	3	4	Total
Market	Flat	4	0	0	0	4

Residential Use Details (Proposed):						
	Residential Type	No. of Bedrooms per Unit				
		1	2	3	4	Total
Market	Flat	3	0	1	0	4

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

Officers' Report

Reason for Referral to Committee

The total or substantial demolition of any listed building, locally listed building, or building considered to make a positive contribution to a conservation area [clause 3(iii)].

Referral to the Mayor

This application is referable to the Mayor of London under the provisions of Category 1C of the Schedule to the Town & Country Planning (Mayor of London) Order 2008: "Development which comprises or includes the erection of a building of (c) more than 30 metres high and is outside the City of London".

Once Camden has resolved to determine the application, it is required to refer it back the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

Use classes

Since the application was received prior to 1st September 2020, the Use Classes that were in effect prior to the Town and Country Planning (Use Classes) Amendment Order 2020 will be used to determine the application.

Executive Summary

- i. The application site is located on the northern side of Tottenham Street and comprises a five storey building with basement, ground floor shopfront and three upper floors. Records suggest the lawful use of the lower ground and front of the ground floor is retail (Class A1) although the space was most recently used as an office (Class B1) and was vacant for several years beforehand. The upper floors and rear of the ground floor are in residential use (Class C3) as four one-bedroom flats. The application site is not listed but is located within the Charlotte Street Conservation Area.
- ii. The proposals involve the demolition of the existing building which is identified as making a positive contribution to the Conservation Area. The proposed demolition is regrettable in design and heritage terms in so far as the current building represents the proportions and design of historic 18th century development. However, after further detailed assessment, it has been established that the building has been substantially altered and is not a true representation of the original building.
- iii. Consequently, the proposed demolition is considered to result in some minor harm to the appearance of the streetscene as a result of the gradual loss of Georgian-style architecture and the existing proportions of the building, but that harm would be at the lower end of "less than substantial". This minor harm would be outweighed by the planning benefits brought forward by the

replacement building and the scheme as a whole. The proposals include the following benefits:

- Provision of a new sustainable building which exceeds carbon reduction targets.
 - The replacement of four substandard homes with four new homes which provide a high quality of accommodation, are accessible and adaptable, and benefit from outside amenity space.
 - A new mix of dwelling sizes which includes a larger three bedroom family home.
 - Provision of new high-quality affordable office accommodation which would cater to small and medium sized enterprises.
 - Provision of level access to the building which is not currently provided.
 - Overall improvement to townscape and streetscene.
 - Creating car-free development which promotes more sustainable forms of transport.
 - Investment in Camden economy through local procurement during construction.
 - Opportunities for local people to undertake construction apprenticeships.
- iv. Assessing the development overall, it is considered that it would preserve the character and appearance of the Charlotte Street conservation area. The loss of the existing building would cause some minor harm to the character and appearance of the streetscene; however, the replacement building would be a high quality of architectural design and materials which would make an equal, if not improved contribution to the streetscene. The range of land use, environmental, economic and social public benefits which would be delivered would outweigh this minor harm.
- v. The applicant has thoroughly explored options for the retention and re-use of the existing building, but given the substantial nature of the modifications that would be required, the proposals would either alter the appearance of the façade to such an extent that any remaining historic value would be lost, or result in either a compromised standard of residential units or a net loss in the number of units. A Whole Life Carbon Assessment has been submitted which reviews the whole life carbon of both buildings over a 60 year period, in line with the recommended RICS approach. The assessment demonstrated that the demolition of the existing building would be the most sustainable solution due to the reductions which can be achieved in operational carbon, despite the embodied carbon spend.
- vi. In land use terms, the proposed development is considered to have an appropriate mix of uses for the site, while benefitting a number of the Council's policy objectives by contributing towards a successful economy, significantly improving the quality of the housing stock and providing a new larger family home.
- vii. The proposed development would not have a significant effect on the daylight and sunlight amenity levels within the residential properties facing the application site. Although the proposed building would alter the outlook from

these properties, this impact is not harmful, and the proposals would not cause unacceptable harm by way of loss of privacy or noise disturbance subject to the suggested conditions. Likewise, subject to the suggested conditions and obligations, the development would not have an unacceptable impact on the local highways or transport infrastructure.

- viii. The issues raised by the Mayor in the Greater London Authority's (GLA) Stage 1 letter have been addressed through further clarifications and measures which would be secured by S106 legal agreement or by condition.
- ix. As such, it is recommended that conditional planning permission is granted subject to a S106 legal agreement. Delegated authority is also requested to amend conditions in response to any requests from the GLA at stage II.

1 Site

- 1.1 The application site is located to the northern side of Tottenham Street covering an area of approximately 0.01 hectares (100sqm). The site comprises a five storey building with basement, ground floor shopfront and three upper floors. Records suggest the lawful use of the lower ground and front of the ground floor is retail (Class A1) although the space was most recently used as an office (Class B1) and was vacant for several years beforehand. The upper floors and rear of the ground floor are in residential use (Class C3) as four one-bedroom flats.
- 1.2 The application site is not listed but is located within the Charlotte Street Conservation Area. The existing building on the site dates from around the later 18th Century and on first appearance the building is consistent with the typical late 18th and early 19th Century Georgian townhouses found in Bloomsbury and Fitzrovia. However, on closer inspection, architecturally the building doesn't follow the expected form of a classical Georgian property of this period, the front façade being the product of a poor quality post-war rebuild. Hence it is missing the hierarchy of window sizes you would expect for a building of this period across the second and third floors, the front elevation windows and the shopfront are not historic, and the rear façade has large modern window openings with UPVC window frames. Nevertheless, the building has been identified as making a positive contribution to the character and appearance of the conservation area within the Conservation Area Appraisal and Management Strategy.
- 1.3 The nearest listed buildings are 16 – 22 Cleveland Street (Grade II) to the south west and 39 Tottenham Street (Grade II) to the south east, which are approximately 16m and 28m away respectively.



Figure 1 – Existing aerial view looking north (site shown outlined in red)

- 1.4 The site is neighboured to the east by Arthur Stanley House, a 7-9 storey post-war building in office use, which has a significantly larger plot size than the application building and which benefits from consent for full refurbishment, extension and redevelopment to provide 50 residential units and flexible employment space (see planning history section below). This scheme has been implemented and is nearing completion on site. To the west is a 6-7 storey building also in office use, which sits on the corner of Tottenham Street and Cleveland Street and also has a much larger plot size than the application building. Within this context, the site appears as a 'missing tooth' in the otherwise densely developed group of buildings on the north side of Tottenham Street (between Cleveland Street and Charlotte Street).
- 1.5 The south side of Tottenham Street opposite the site is characterised by a mix of Georgian townhouses of 3-4 storeys above ground with a modern infill at no.47.



Figure 2: Street view of front elevation

- 1.6 There is generally a consistent pattern of development across the Charlotte Street Conservation Area (mostly Georgian with some 19th and 20th Century intervention); however, there are subtle variations in the character of different streets and Tottenham Street is identified as a mixed-use street in the conservation area appraisal. The street mostly comprises four storey townhouses with predominantly yellow stock brick frontages and stucco decoration, although the northern block where the site is located is of a taller, larger grain. Further north and east are more modern, institutional blocks of

larger scale. In land use terms, the surroundings are a mix of commercial, institutional, and residential uses. The nearest residential dwellings are opposite the site at 43 – 49 Tottenham Street.

1.7 The site has the following planning policy designations:

- Central London Area
- Fitzrovia Business Improvement District
- Charlotte Street Conservation Area
- Central London Local Area (Fitzrovia)
- Crossrail contribution zone
- Fitzrovia Area Action Plan
- Fitzrovia East Neighbourhood Area
- Knowledge Quarter Innovation District
- Strategic View wider setting (view from Parliament Hill to Palace of Westminster)
- Underground development constraints (groundwater flow and slope stability).

1.8 The site has an excellent Public Transport Accessibility Level (PTAL) of 6b which is the highest rating on the scale. The nearest London Underground Station is Gode Street which is approximately 0.1 miles to the east. The site is also within 10-15 minute walking distance of Euston Square, Warren Street, Great Portland Street, Regent's Park, Oxford Circus, Tottenham Court Road and Russell Square underground stations. Local buses serve Tottenham Court Road and nearby Oxford Street and Euston Road. National Rail Services are also located nearby with Euston Station located less than a mile to the north and King's Cross St. Pancras located 1.3 miles north east of the Site.

2 The Proposal

2.1 The proposal is for redevelopment of the site following the demolition of the existing building, to provide a mixed-use development comprising affordable workspace (Class B1) at ground floor and four residential units (Class C3) to the upper floors (3 x 1 bedroom flats and 1 x 3 bedroom flat). The new building would match the shoulder height of the neighbouring Arthur Stanley House, before stepping back an additional 4 storeys to provide a new building of 11 storeys with basement floor, which would sit approximately 3 storeys above the height of the recently extended Arthur Stanley House.

2.2 The residential floors will comprise four units; three duplexes over floors 1 to 6 and a quadruplex over floors 7 to 10. Cycle parking, refuse storage and plant would be provided at basement level, and step-free access would be provided to all units via an internal lift.

Revisions

2.3 The proposed energy strategy was amended to incorporate renewable energy technology so that all residential flats and the commercial unit would be served

by Air Source Heat Pumps (ASHPs) to increase the scheme's renewable energy and carbon savings.



Figure 3 – Proposed street view

3 Relevant history

The site

52 Tottenham Street

- 3.1 **2009/0060/P** – Change of use of first, second and third floors from office B1(a) to three x 1 bedroom self-contained flats (C3); retention of existing commercial use at basement and ground level and live/work unit to rear ground floor; replacement of windows within the rear elevation and the installation of a new shop front. Permission granted 16/07/2009 (Implemented).

- 3.2 **2008/2365/P** - Change of use of first, second and third floors from office B1 (a) to residential (Class C3), together with the erection of a mansard roof extension and a part width four storey rear extension to accommodate one x 1 bedroom flat on each of the 1st and 2nd floors and a two bedroom flat at 3rd/4th floor level, with alterations to the shop front. Permission granted 19/01/2009 (Not implemented).
- 3.3 **TP39385/C/7863** - The erection of a one-storey workshop extension at the rear for use in connection with the retail tailoring business (Class I) in the ground floor shop at the front. Permission granted 12/08/1955.

The area

Arthur Stanley House, 40-50 Tottenham Street

- 3.4 **2017/4306/P** - Refurbishment of the existing eight storey Arthur Stanley House (ground plus seven storeys, with two lower ground floor levels), reconfiguration of the seventh floor and extension at the rear of the building and construction of a four storey plus basement new build element to the rear facing Tottenham Mews to enable a change of use from healthcare (Class D1) to a mixed use development comprising office floorspace (Class B1), flexible office (Class B1)/ healthcare (Class D1) floorspace at ground and first floor levels and 10 residential units (Class C3) (2 x 1 bed (private); 6 x 2 bed (private); 2 x 3 bed (social rented)) and associated landscaping fronting Tottenham Mews. Permission granted 30/08/2018. Development implemented and nearing completion.

30 Cleveland Street

- 3.5 **2016/7076/P** - Erection of extensions at 4th and 5th floor (north east elevation), replacement and enlargement of 6th floor extension to provide additional office floorspace (Class B1), relocation of existing plant to plant enclosures at 4th & 6th floors (north east elevation), creation of terrace at 5th floor level and enlargement of 6th floor terrace, replacement of metal framed glazed façade at ground to 1st floor level on Cleveland Street and Tottenham Street elevation, replacement of roller shutter with metal framed glazing and replacement entrance canopy. Permission granted 17/05/2017 (Implemented).

14-19 Tottenham Mews

- 3.6 **2012/4786/P** - demolition of the existing building and the erection of a five storey building, including basement level and roof top plant enclosure, to provide a Mental Health Resource Centre including recovery centre, consultation and activity rooms (Use Class D2) and 6 x 1 bed short stay bedrooms (Use Class C2). Permission granted 21/09/2012 (not implemented).
- 3.7 **2020/3289/P** - Demolition of existing two storey building. Granted 11/11/2020.

- 3.8 **2020/5633/P** - Erection of a six storey building (and basement) to provide office (use Class E) at part ground and basement levels and self-contained flats (use class C3) at ground and floors one to five; with associated landscaping, cycling parking and enabling works. Granted 12/04/2022.

4 Consultation Summary

Statutory

4.1 Greater London Authority (GLA) – Stage 1 Response:

- 4.2 Although the proposal is supported in principle, the application does not fully comply with the London Plan and Publication London Plan. Where the associated concerns are addressed, the application may comply with the London Plan and Publication London Plan and become acceptable in strategic planning terms.

4.3 Summary of full response:

Principle of development

- The principle of the comprehensive redevelopment of the site in the Central Activities Zone (CAZ) with a mixed-use development that retains employment floor space on-site and enhances the quality and mix of residential units is supported.

Housing

- The scale of the development means it is not required to provide on-site affordable housing. However, a contribution towards off-site affordable housing should be secured in the s106 agreement if required by the Council. The enhancement of the quality and mix of housing within a predominately residential neighbourhood of the CAZ is supported.
- *Officer response – as there is no uplift in the number of residential units at the site, the development does not trigger the policy H4 requirement to provide a contribution towards affordable housing.*

Urban Design, Heritage and Views

- Strategically, the overall height, mass and scale of the scheme is supported as it will not impact upon the character of the Conservation Area or impede on strategically important landmark views. Additional information regarding the Fire Safety Statement must be provided prior to determination.
- *Officer response – The applicant submitted a fire statement to address this requirement which the GLA confirmed meets the requirements of the London Plan.*

Transport

- The development's impact on public transport is expected to be minimal and a contribution towards public transport service enhancement is not required. The quantum of cycle storage is acceptable, however a cargo and/or adapted cycle stand within the site should be provided. A Travel Plan should be secured.
- *Officer response: Given the development would not result in an increase in residential units at the site and the size of the affordable workspace is relatively small at 21sqm, Council officers do not consider it necessary or appropriate to secure a travel plan for this development as it would not significantly increase travel demand or have a significant impact on travel or the transport system.*
- *The applicant provided additional details of the basement cycle store in response to comments received from TfL. There is insufficient room within the basement to provide an adapted stand on-site. The Council's Transport Officer and TfL confirmed the cycle parking proposals were acceptable given the site constraints.*

Sustainability

- Further information on energy, urban greening and the circular economy is required. Specific queries related to:
 - No renewable energy technology proposed.
 - The London Plan requires all major development to meet a net-zero carbon target, with any shortfall offset through a payment.
 - Overheating risk tool should be completed.
 - The GLA's carbon emission reporting spreadsheet should be completed.
- *Officer response: Following the GLA's initial response, there was ongoing dialogue between the applicant and the GLA to address the outstanding sustainability queries. The applicant provided the following:*
 - *Introduction of renewable energy technology in the form of air source heat pumps serving all flats as well as the commercial unit. The GLA confirmed the updated modelling and reported carbon emissions associated with this change indicate compliance with Policy SI2 and that nothing further is required.*
 - *Confirmation that the development is not classed as a major development and therefore there is no requirement to meet net-zero or provide a carbon offset contribution.*
 - *The overheating risk tool was completed which showed that even with the incorporation of mitigation measures, there is a risk of overheating. The GLA confirmed the applicant's response was accepted and that a condition should secure a Dynamic Overheating Analysis to assess the overheating risk.*
 - *In addition, the applicant prepared a Whole Life Carbon Assessment at application stage, which the GLA previously suggested securing by condition.*

- Following the submission of the additional information, the GLA confirmed on 14/07/2022 that all comments are now resolved, subject to the Borough decision notice review.

4.4 Transport for London (TfL) – Spatial Planning

Trip generation and Public Transport Impact

- The applicant has not provided a trip generation assessment; however, TfL is satisfied that the development is unlikely to result in a significant increase in development related trips and/or freight movements. Consequently, the impact on public transport is also expected to be minimal and thus TfL does not require a contribution towards public transport service enhancement.

Travel Plan

- A full Travel Plan should be secured via a section 106 agreement. The targets of the Travel Plan should, throughout the Plan's lifespan, focus on increasing the active travel mode share in line with the Mayors Transport Strategy (MTS) mode shift target for inner London.
- *Officer response: Given the development would not result in an increase in residential units at the site and the size of the affordable workspace is relatively small at 21sqm, it is not considered necessary or appropriate to secure a travel plan for this development as it would not significantly increase travel demand or have a significant impact on travel or the transport system.*
- *Given the development would be secured as car-free, is located within an area with a PTAL score of 6b (the best) and would provide a secure cycle parking store, the development is considered to contribute towards increasing the active travel mode share.*

Cycle parking

- 7 long stay cycle parking spaces are proposed for the residential units. This complies with the minimum standards set out in policy T5 (Cycle parking) of the Intend to Publish (ItP) London Plan. All spaces should be designed and laid out in accordance with the London Cycling Design Standards (LCDS).
- Cycle parking will be provided within the basement, accessed via a lift. Due to site constraints the lift will only be able to accommodate a cycle of 1.8m in length across its diagonal. This not compliant with LCDS. If it is not possible to provide a larger lift, the applicant should look to provide at least one cargo and/or adapted cycle stand within the site boundary. At present, there is space at the frontage of the building where the black rails stand where this cycle space could be accommodated. If this is not possible, the applicant should work with the borough to provide cycle parking in the public realm for cargo cycles and adapted cycles for disabled people.
- *Officer response: The applicant confirmed the cycle rack specifications and provided an amended basement plan allowing for additional width for the proposed cycle racks, but noted that there is insufficient room within the*

basement to provide an adapted stand on-site. The Council's Transport Officer and TfL confirmed the revised cycle parking proposals were acceptable given the site constraints.

Car parking

- The development will be car free which is strongly supported by TfL. The proposal to restrict future residential and business occupants from applying for parking permits on the surrounding streets is supported.
- 3 disabled parking spaces are already provided on Tottenham Street. Given the site constraints, it is considered acceptable to utilise the existing on-street spaces for residents and visitors of the development in lieu of providing spaces on site.

Delivery and servicing

- At present servicing and waste collection takes place from the site's frontage on Tottenham Street. These existing arrangements are to remain for the proposed development. Keeping in mind the site's limited footprint, these arrangements are acceptable.
- In line with policy T7 (Deliveries, Servicing and Construction) of the London Plan, a Delivery and Servicing Plan (DSP) should be submitted in line with TfL guidance. This should be secured through a condition and TfL should be consulted on this document.
- *Officer response: The Council's Transport Officer considers that the small uplift in residential units and provision of the ground floor workspace will result in a negligible increase in both person and servicing trips to the site. Servicing and refuse trips would occur in a similar way to the existing arrangements, with single yellow lines utilised by servicing vehicles. As such, it is not considered necessary to secure a Servicing Management Plan.*

Construction

- A draft Construction Management Plan (CMP) has been submitted alongside this application. A full Construction Logistics (CLP) should be developed in accordance with TfL guidance and secured via a condition.
- The site is in a busy part of the CAZ. Therefore, during construction, a safe route for walking, which is fully accessible for people of all ages and abilities, should always be provided on both sides of the street.
- The applicant should ensure all freight movements associated with construction vehicles are safe and in line with the Mayor's Vision Zero approach to eliminating death and serious injury on the road network. TfL supports the applicant's commitment to appoint a silver FORS accredited contractor and the use of traffic marshals/banksmen.
- The applicant has suggested the possibility of employing a delivery booking system, a holding facility and a consolidation centre. All these measures would minimise the need for additional freight trips and ensure cleaner and more efficient freight. TfL strongly supports all three of these initiatives, which should be secured by condition.

- *Officer response: A draft CMP has been submitted in support of the planning application. While the information provided in the draft is useful, the CMP document lacks detail as a principal contractor has yet to be appointed. A more detailed CMP would therefore be required and secured via a S106 planning obligation if planning permission is granted, alongside an Implementation Support Contribution and a CMP bond. The measures discussed above would be secured as part of the final CMP.*

Local groups/stakeholders

4.5 Charlotte Street CAAC objection, summarised below:

- Despite not being original Georgian fabric, the scale, materials and style of the current building clearly make a positive contribution to the Charlotte Street Conservation Area (CA) and have obvious links to the south side of the street which is original.
- The building is suitable for redevelopment but only subject to the replacement building being of an exceptional quality and of an appropriate use, that enhances the special character of the CA and delivers sufficient public benefit to outweigh the harm caused through the exceptional loss of a positive contributor. The preservation of the building as a heritage asset should be afforded great weight.
- The demolition is not sufficiently justified given the quality and associated public benefit of the replacement building.
- The appearance of the proposed does not pay sufficient regard to the historic context of the street and wider CA.
- Of most concern is the large solid-to-void ratio, and disregard for typical horizontal separations and proportions evidence in neighbouring buildings.
- It introduces an unusual style of massing/detailing for which there is no precedent which would be a neutral/detracting factor to the CA character.
- There is no justification for the extra storeys above the accepted block height. Allowing it would set a precedent for the block and eventually the surrounding area which would cause harm to the CA and listed buildings.
- Upper storeys would be visible from the surrounding area including on the nearby well preserved mews street which will cause harm to the character and appearance of the Charlotte Street CA and the setting of a number of listed buildings.
- *Officer response: Please refer to section 11 (Design and Conservation).*
- *Please refer to para 11.23 for a discussion as to why the development would not set a precedent for future development.*

4.6 Thames Water, summarised below:

- No objection with regard to waste water network and sewage treatment works infrastructure capacity.
- No objection with regard to water network and water treatment infrastructure capacity.

Adjoining Occupiers

4.7 Multiple site notices were displayed on Tottenham Street, Goodge Place, Cleveland Street and Charlotte Street from the 9th September until the 3rd October 2020. A press advert was placed on 10th September 2020 in the Camden New Journal.

4.8 No responses were received.

5 Policies & Guidance

5.1 National Planning Policy Framework 2021

5.2 NPPG

5.3 The London Plan 2021

5.4 Mayor's Supplementary Planning Guidance

5.5 Camden Local Plan (2017)

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H2 Maximising the supply of self-contained housing from mixed-use schemes
- H3 Protecting existing homes
- H4 Maximising the supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- C1 Health and wellbeing
- C5 Safety and security
- C6 Access for all
- E1 Economic development
- E2 Employment premises and sites
- A1 Managing the impact of development
- A2 Open space
- A3 Biodiversity
- A4 Noise and vibration
- A5 Basements
- D1 Design
- D2 Heritage
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste
- T1 Prioritising walking, cycling and car-free development
- T2 Parking and car-free development
- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials

DM1 Delivery and monitoring

5.6 Fitzrovia Area Action Plan 2014

- F1 Planning decisions in Fitzrovia
- 1 Housing and affordable housing
- 2 Public open space
- 4 Small and medium enterprises
- 9 Residential amenity
- 10 Sustainability and local energy networks

Part 5: Urban design principles

5.7 Supplementary Planning Guidance

Camden Planning Guidance

Access for All CPG 2019

Air Quality CPG 2021

Amenity CPG 2021

Basements CPG 2021

Biodiversity CPG 2018

Design CPG 2021

Developer Contribution CPG 2019

Employment sites and business premises CPG 2021

Energy efficiency and adaptation CPG 2021

Housing CPG 2021

Transport CPG 2021

Trees CPG 2019

Water and flooding CPG 2019

**Charlotte Street Conservation Area appraisal and management strategy
2008**

6 Assessment

The principal considerations material to the determination of this application are considered in the following sections of this report:

7	Consultation and procedure
8	Land use principles
9	Housing mix, unit size, quality of accommodation and affordable housing
10	Demolition
11	Design and Conservation
12	Impact on neighbouring amenity
13	Basement Impact
14	Air quality
15	Sustainable design and construction
16	Transport
17	Refuse and recycling
18	Land contamination
19	Employment and training opportunities
20	Fire Safety
21	Planning obligations
22	Community Infrastructure Levy (CIL)
23	Conclusion
24	Recommendations
25	Legal comments
26	Conditions
27	Informatives

7 Consultation and procedure

Consultation

- 7.1 A Statement of Community Involvement (SCI) has been submitted as part of the application which outlines the consultation that the applicant undertook prior to submitting their application. The applicant has engaged with the community, the Local Planning Authority and key stakeholders via pre-application meetings with Camden officers, stakeholder meetings, public consultation and workshops.
- 7.2 Meetings were held with key stakeholders including the Bloomsbury Association, the Fitzrovia Neighbourhood Association, the Charlotte Street Association, the Bloomsbury CAAC, Fitzrovia Neighbourhood Partnership BID and ward Councillors prior to the submission of the application. 1,336 flyers were also distributed to local residents and businesses and the applicant hosted a public consultation exhibition at the Fitzrovia Community Centre.
- 7.3 Following design amendments to the proposals during the pre-application stage, a further 1,336 flyers were distributed outlining the proposed changes and key stakeholders were notified. Officers consider this consultation was sufficient.

8 Land use principles

Note on Use Classes

- 8.1 On 21 July 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the “Regulations”) were laid before parliament and came into force on 1 September 2020. The Regulations revoke Parts A, B1 and D of the Town and Country Planning (Use Class Order) 1987 (as amended) from 1 September 2020.
- 8.2 Regulation 4 of the Regulations provides that if before 1 September 2020 an application for planning permission is submitted which refers to uses or use classes specified in the Town and Country Planning (Use Class Order) 1987 (as amended) (the “Use Classes Order”) as it applied on 31 August 2020, that application must be determined by reference to the Use Classes Order as at 31 August 2020. This application was submitted on 9th July 2020 and must therefore be determined by reference to the Use Classes Order as it applied on 31 August 2020, i.e. referring to Use Classes A, B1 and D, and not the new Class E (Commercial Business and Service).
- 8.3 In practice, this means that applications submitted prior to 1 September 2020 must be assessed against the Council’s retail and business policies, but once constructed and occupied, the development would benefit from Class E use and could be used for any purposes within this new wider use class unless secured as a certain use by condition.

Principle of development

- 8.4 Policy G1 of the Local Plan sets out how the Council will create conditions for growth to deliver homes, jobs and infrastructure by supporting development that makes the best use of the site, providing a mix of uses in accessible parts of the borough (including self-contained housing) to deliver 16,800 new homes, 695,000sqm of new office floorspace and 30,000sqm of new retail floorspace by 2031. The Council anticipate the most significant growth to be delivered across the Borough, with Central London playing a key role in facilitating that growth.
- 8.5 Part 4 of the Fitzrovia AAP seeks to ensure that growth takes place in a way that strikes an appropriate balance between residential, institutional and commercial uses, while managing the impact of growth on the existing residential community and ensuring an environmentally sustainable future.
- 8.6 The existing site comprises 171sqm residential floorspace and 79sqm commercial floorspace (encompassing 51sqm basement storage space and 28sqm at ground floor level). The proposed development would result in an increase of 510.6sqm residential floorspace, the loss of the retail unit, and an overall loss of 57.7sqm commercial floorspace as the ground floor unit would be re-provided as office use rather than retail use.
- 8.7 The proposed development would largely maintain and increase the existing character of uses on site and would be in accordance with the established mix of uses in the existing building and the surrounding area. The proposed development, mix of uses, improvements to the quality of the residential dwellings and provision of a larger home at the site would help meet the aspirations of both local and regional policy for this Central London area, and as such, the principle of development in this location would accord be in accordance with London Plan Policy 7.6 and Local Plan Policy G1.
- 8.8 When considering the development plan as a whole, the proposal is not considered to undermine the objectives of the plan policies. However, the proposals would still result in the loss of the historic retail use, which is assessed in more detail below to determine what impact it would have on retail provision in the area.

Loss of retail provision (Class A1)

- 8.9 Although the ground floor unit has been vacant for a prolonged period of time and was most recently in use as an office, Council records indicate that historically the basement and ground floor were in retail use as a tailoring retail business, and as such, the loss of this historic retail use is assessed.
- 8.10 The site is not located within a designated retail frontage or town centre; however, policy TC3 still seeks to protect shops outside of town centres by only granting planning permission for the loss of a shop where alternative provision is available within 5 – 10 minutes' walking distance; where there is clear evidence that the current use is not viable; and where the site is within the Central London

Area, where the development positively contributes to local character, function, viability and amenity.

- 8.11 Paragraph 9.27 of the supporting text notes that the Council will only grant permission for the loss of shops outside centres in Central London where it considers that the replacement use will also contribute positively to the local area in recognition of the fact that there is significant competition between competing land uses. It goes on to state that appropriate alternative uses are considered to be housing and uses providing essential services for residents, businesses, workers and visitors such as professional and financial services, community facilities and launderettes.
- 8.12 In this instance, the site is located within Fitzrovia where there are several alternative retail units within a 5 – 10 minutes' walk away, including on Tottenham Street itself, the surrounding streets and the busy Tottenham Court Road which is a 4 minute walk away. The loss of the lawful retail use at the site would not therefore impact the retail function of the local area, in compliance with the first requirement of the policy.
- 8.13 In terms of the viability of the existing use and the contribution of the proposed development to the area, it is noted that the site has not been used for retail purposes for several years, and was most recently used as office space (Class B1). The proposed development would provide new high quality affordable office space which would interact positively with the local character, function, viability and amenity and contribute towards a successful economy. As such, the proposed loss of the lawful retail function is considered acceptable and in accordance with policy TC3.

Proposed residential accommodation

- 8.14 The proposals involve the creation of approximately 510sqm of new residential floorspace at the site. Policy H1 sets out how the Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households by regarding self-contained housing as the priority land-use of the Local Plan. The Fitzrovia Area Action Plan also promotes the development of permanent self-contained housing.
- 8.15 Given the existing residential use of the site and the residential character of the locality, this is an appropriate location for the proposed uplift in residential floorspace and the development is compliant with the aspirations of policy H1 in this regard.

Proposed office use

- 8.16 The proposed development would provide a new office unit of 21.3sqm. Policy E1 of the Local Plan supports the provision of a range of business and employment floorspace, and seeks to direct new office development to the growth areas, Central London and the town centres to meet expected demand. The policy states that the Council will support businesses of all sizes, in particular start-ups, and small and medium sized enterprises (SMEs); and will maintain a

stock of premises that are suitable for a variety of business activities, for firms of differing sizes, and available on a range of terms and conditions for firms with differing resources.

- 8.17 Principle 4 of the FAAP also states that the Council will support SMEs by seeking to ensure that where appropriate: existing business premises suitable for SME use are retained; and new business development is designed flexibly to allow parts of the property to be occupied by SMEs.
- 8.18 Policy E1 of the London Plan encourages mixed-use developments that improve the quality and diversity of employment and office floor space, including the desire for lower cost and affordable workspace.
- 8.19 The proposed development would provide a new small office unit within the Central London Area which would be suitable for smaller enterprises given its size providing accessible workspace for start-ups and SMEs. In spite of not being required to meet relevant policy threshold criteria the applicant has nevertheless offered to deliver the unit as affordable workspace which will be secured at 80% of market value which is welcomed and would be secured as part of the Section 106 Agreement. Once the ground floor unit is constructed and occupied, it would benefit from Class E use, meaning it could be converted to other Commercial, Business or Service use within this class. Therefore, to ensure the affordable workspace is delivered, the use of the unit as offices shall be secured by condition (Condition 30).
- 8.20 In summary, the proposed inclusion of an element of affordable employment space is welcomed and would enable the development to contribute towards a successful and inclusive economy in accordance with policy E1 of the Local Plan, policy E1 of the London Plan and the FAAP.

Conclusion; land use principles

- 8.21 Overall, the proposed development would provide an appropriate mix of uses for the site that would enhance the existing character of the area while benefitting a number of the Council's policy objectives by contributing towards a successful economy and the Borough's supply of housing. As such, the development accords with the Camden Local Plan, the London Plan and Fitzrovia AAP and is acceptable in this regard.

9 Housing mix, unit size, quality of accommodation and affordable housing

Policy review

- 9.1 Local Plan Policies H1, H2, H3, H4, H6, H7 and the Housing CPG, and London Plan Policy H1 are relevant with regards to new housing, including tenure and unit size. Local Plan policies H6 and D1 are relevant with regards to the amenity of proposed housing.

Mix of unit sizes

- 9.2 The existing site contains a total of four residential units, comprising one studio flat and three 1 bedroom flats measuring between 31sqm and 33sqm. All flats fall significantly below the technical housing standard of 39sqm for a 1 person flat, or 50sqm for a 2 person flat.
- 9.3 The proposal would re-provide four flats, in the form of three 1 bedroom duplexes and one 3 bedroom quadruplex (spread over four floors) measuring either 69.3sqm or 67.8sqm for the 1 bedroom units and 149sqm for the three bedroom unit.
- 9.4 Policy H7 seeks to provide a range of unit sizes to meet demand across the Borough. For market units, table 1 of this policy considers 1 bedroom/studios to have a lower priority, 2 and 3 bedroom units to be of high priority, and 4 bedroom (or more) a lower priority. Although the development would not provide any additional dwellings at the site, it would provide a new 3 bedroom family home which is one of the highest priority dwelling sizes and is in line with the Council's objectives to be a more family friendly borough, alongside three improved quality 1 bedroom homes which would now be accessible and provide a high standard of accommodation. As such, the development would deliver an improved mix of units and bring all dwellings at the site up to current standards. On this basis, the unit mix is acceptable and in accordance with policy H7.

Design and layout

- 9.5 The Ministry of Housing, Communities and Local Government (MHCLG) released nationally described space standards in March 2015, which are incorporated in the Local Plan. The minimum gross internal floor areas are set by the number of bedrooms and bed spaces/occupiers in each dwelling. The development would provide three 1 bedroom/2 person duplexes, and a 3 bedroom/5 person flat spread over four floors which require a minimum floor area of 58sqm and 99sqm respectively.
- 9.6 All of the units comply with the national standards and comfortably exceed them. The 1 bedroom flats would measure more than 58sqm, and the 3 bedroom flat would measure 149sqm. All bedrooms would also exceed the national space standard of 7.5sqm for a single and 11.5sqm for a double.
- 9.7 Although all units would be single aspect, the site is located on the north side of Tottenham Street and is south-facing. All units are laid out with non-habitable bathrooms, storage cupboards and stairwells to the rear, and living rooms/kitchens and bedrooms to the south. To the lower level of each 1 bedroom duplex there is a generous double height terrace of 8sqm serving the living areas, with the bedroom set back at mezzanine level above. The bedroom would be set 4m back from the street frontage which would ensure privacy for occupants and provide sufficient daylight/sunlight to the lower level. The typical 1 bedroom layout is shown in figure 4.

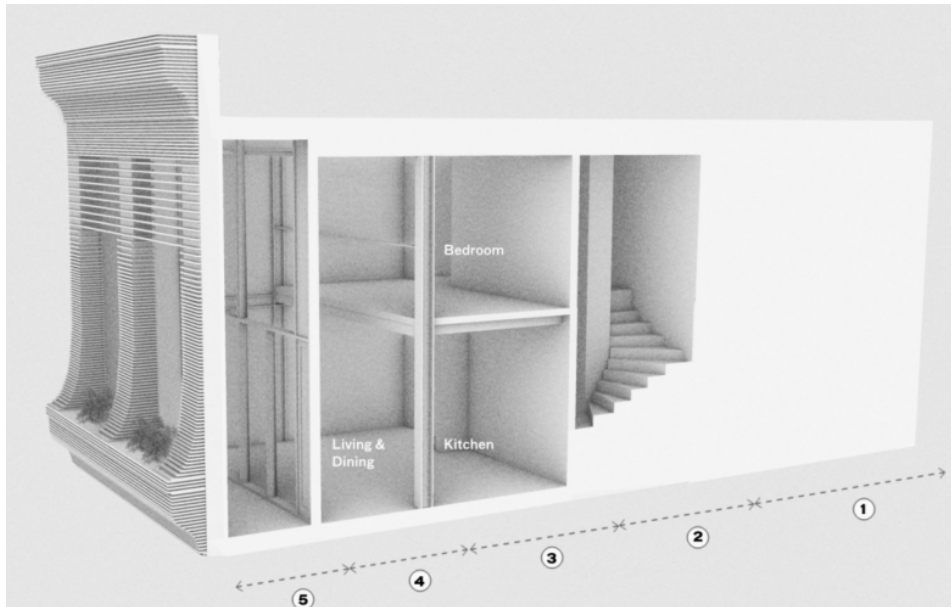


Figure 4: Typical one bedroom duplex layout

- 9.8 The 3 bedroom flat would be spread over floors 7 to 10, stepping back at every level to provide a large terrace of at least 12sqm on each floor. All units would benefit from outdoor amenity space which far exceeds London Plan standards for units of their size.

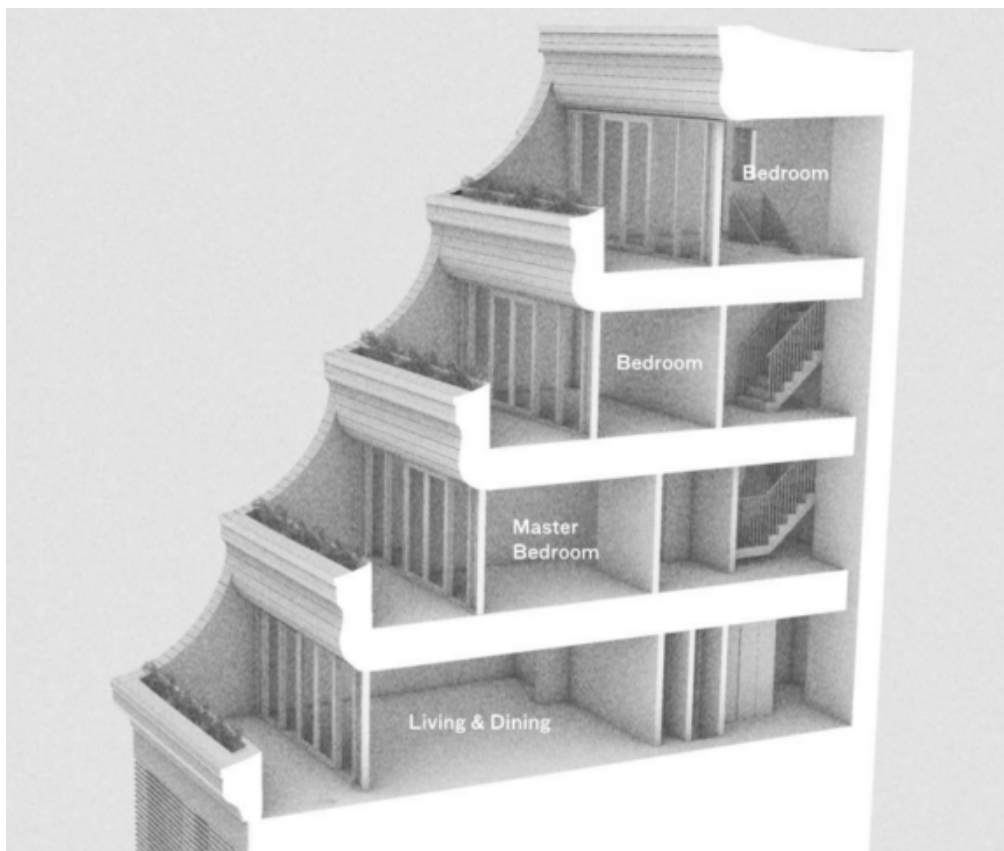


Figure 5: Section through 3 bedroom quadruplex

9.9 Although the dwellings would be single aspect, their layouts are well-considered and south-facing, with a good internal arrangement, ample storage and amenity space, and are considered to provide a good standard of accommodation for future occupants.

Access and inclusive design

9.10 New build residential developments must comply with the access standards in Part M of the Building Regulations. This includes parts 1 (Visitable dwellings), 2 (Accessible and adaptable dwellings) and M4 (3) wheelchair user dwellings. The Council expects all new build housing development providing 10 or more units to meet a requirement of 90% M4(2) accessible and adaptable dwellings and 10% M4(3) wheelchair user dwellings. It also states that for developments of five units or less, the Council will not require M4(3) wheelchair user dwellings.

9.11 All units have been designed to M4(2) standards, with a level entrance onto Tottenham Street and vertical circulation provided by a Building Regulations-compliant stair and one wheelchair accessible lift. Stair and lift access is provided to the entry level of each unit and each unit will have step-free access. Compliance with M4(2) standards shall be secured by planning condition (condition 14).

Daylight and sunlight

9.12 An internal daylighting assessment was originally undertaken of the proposed units using the BRE 2011 methodology. The assessment demonstrates that the development performs very well in terms of daylight and sunlight levels for this urban location.

9.1 The Average Daylight Factor (ADF) test was used to assess the daylight amenity to all habitable rooms, with the BRE Guidelines and BS 8026 recommending the following minimum levels for the following rooms:

- Bedroom: 1%
- Living room: 1.5%
- Kitchen: 2%

9.2 The assessment demonstrated that all rooms would meet the minimum standards. For the 1 bedroom duplexes, the kitchen / living spaces would achieve 5.2%, 7% and 6.8%, and the bedrooms would achieve 1.5%, 3.4% and 3.4%. The 3 bedroom flat would achieve 5.5% for the kitchen / living space and 7%, 9.5% and 10.9% for the bedrooms. As such, all rooms are fully BRE compliant, with most in excess of the required levels.

9.3 Following the submission of the application, the BRE guidance was amended in June 2022, with the primary changes being to the methodologies undertaken to consider internal daylighting of new residential dwellings.

9.4 The 2022 BRE Guidelines has evolved from the internal daylight ADF methodology to a new climate-based assessment, the Climate Based Daylight Modelling (CBDM). The CBDM assessment is more complex in nature when

compared to the superseded ADF assessment and involves calculating the daylight levels for each daylight hour on every day of the year, moving away from the application of the consistent overcast sky input as per the 2011 BRE Guidelines. The results are then displayed as a median lux level for the isolated room and assessed against the new BRE recommended daylight targets.

- 9.5 An addendum report has been provided by the applicant's Daylighting consultant, Point 2 Surveyors which confirmed that the dwellings would also comply with the revised methodologies.

Affordable Housing

- 9.6 Policy H4 of the Local Plan seeks to maximise the supply of affordable housing, expecting a contribution to affordable housing from all developments that provide one or more additional homes *and* involve a total addition to residential floorspace of 100sqm (GIA) or more.
- 9.7 In this instance, although the development would provide an uplift in residential floorspace of more than 100sqm (GIA), there would be no additional homes at the site, with the increase in floorspace contributing principally towards bringing the size of the dwellings at the site up to current standards. Although the proposed floorspace uplift could feasibly provide a greater number of units at the site, in reality, it is a very constrained site, single aspect, with a narrow footprint, and it is not considered reasonable nor practicable to expect an uplift of dwelling numbers at the site.
- 9.8 As such, policy H4 is not triggered and there is no requirement to provide a contribution towards affordable housing.

10 Demolition

- 10.1 The proposals involve the demolition of the existing building which is identified as making a positive contribution to the Charlotte Street Conservation Area in the Conservation Area Appraisal and Management Plan and as such, the proposals must be assessed against Policy D2 (Heritage) which resists the total or substantial demolition of an unlisted building that is a positive contributor. Paragraph 7.49 sets out how the Council has a general presumption in favour of retaining buildings that make a positive contribution, whether they are listed or not, so as to preserve this character and appearance. It goes on to state that the Council will resist their demolition unless circumstances are shown that outweigh the case for retention. Applicants are required to justify their demolition, having regard to the National Planning Policy Framework, Camden's conservation area statements, appraisals and management strategies. When considering applications for demolition, the Council will take account of group value, context and the setting of buildings, as well as their quality as individual structures and any contribution to the setting of listed buildings.
- 10.2 The existing building is four storeys, constructed from yellow stock brick and was originally part of a terrace built in the 18th century. The neighbouring buildings have been demolished and no.52 stands alone as the only building of this type

on the northern side of the street. To the south side of Tottenham Street and on Goodge Place, the framework of the 18th Century terraces exists to a large degree, although many have been altered. Immediately adjacent to the site to the east is Arthur Stanley House, an eight storey building constructed in 1960, to the west of the site is 30 Cleveland Street, a seven storey building constructed earlier in the 20th Century.

10.3 Unfortunately, the front of the site was entirely and poorly re-built post WWII. The composition of the re-built elevation does not adhere to typical Georgian proportions, specifically in relation to the symmetry of the building and window hierarchy, and the brickwork has been altered and extended to accommodate the adjacent post war developments. The shopfront, which is a modern addition, also only vaguely represents traditional composition and detailing. To the rear, the building has been substantially altered with the addition of a large rear extension. All original windows have been removed and the fenestration modernised with uPVC windows and refashioned to serve a revised internal arrangement. As a result of these changes, the only historic fabric that exists at the site is a limited amount of brick work to the rear elevation, and although at first glance the architectural detailing reflects the original Georgian style, upon further scrutiny this is a poor and inaccurate rebuild of what once was.

10.4 The proposed demolition is regrettable in so far as the current building is identified as making a positive contribution to the Charlotte Street Conservation Area and to some degree represents the scale, proportion, and design of historic 18th Century development. However, after further detailed assessment, it has been established that the building has been substantially altered and is not a true representation of the original building. The front elevation has been inaccurately and poorly rebuilt and the rear elevation has been extended and altered so that only a small portion of historic brickwork remains. Consequently, the proposed demolition is considered to result in some minor harm to the appearance of the streetscene as a result of the gradual loss of Georgian-style architecture and the existing proportions of the building, but that harm would be at the lower end of "less than substantial".

10.5 Para. 7.44 of the Local Plan states that any harm to a designated heritage asset will require clear and convincing justification. Local Plan Policy D2 also states that the council will not permit less than substantial harm to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm. Paragraph 202 of the NPPF states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

10.6 The heritage asset in this case is the Charlotte Street Conservation Area, whose spatial character derives from the densely developed grid pattern of streets and limited open space. Development is predominantly four storeys and set back from the street by a small basement area creating a strong sense of enclosure. The conservation area appraisal statement notes that although a range of

building types are evident across the conservation area, the predominant building type is the townhouse in a terraced form. The Conservation Area statement describes Tottenham Street as being an example of the area's typical characteristic mix of residential, shopping and commercial uses that tend to have a ground level shop frontage onto the street. It notes that "the frontages are generally comprised of three or four storey townhouses, many with shop frontages that retain interesting features such as corbels, stallrisers, decorative timber and pilasters and have fascias that maintain the overall proportions of the property. The townhouse form generates a strong parapet line along these streets."

10.7 As the existing building is itself a non-designated heritage asset, Paragraph 203 of the NPPF is also relevant which states:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

10.8 As identified above, the removal of the building will cause some minor harm to the existing streetscene which in turn will cause limited harm to the character of this part of the conservation area. However, given the existing building has been significantly altered previously, does not sit within a uniform, historic terrace with a strong parapet line, and does not retain an attractive or historic shopfront, this harm would be at the lower end of "less than substantial". Nevertheless, considerable weight and importance should be given to that harm, and it should be outweighed in the balance by the public benefits. The overall heritage balance is considered as part of the heritage conclusion in section 11.

10.9 Alongside heritage considerations, proposals for demolition and reconstruction should be justified in terms of the optimisation of resources and energy use in comparison with the existing building. Policy CC1 requires proposals to demonstrate that it is not possible to retain and improve the existing building and expects applicants to explore the possibility of sensitively altering or retrofitting buildings before demolition is proposed.

10.10 Officers encouraged the applicant to investigate options for the retention and extension of the existing building at pre-application stage, and full details of this process have been provided in the applicant's Design and Access Statement. An assessment has been made of the existing building's potential for retention and its internal conditions. Deficiencies with the existing building which officers acknowledge could not be easily overcome include the following:

- None of the residential units met national space standards. The studio is 5sqm below the required space standard, and the three one bedroom flats are approximately 36% below space standards.
- There is no outside external amenity space for any of the flats.
- Poor floor to ceiling heights, with only one flat meeting required standards.
- No bike or waste storage.

- None of the flats comply with Part M accessibility requirements, and there is no accessible, step-free access to any of the flats or commercial unit.

10.11 Nevertheless, a number of options for retention were explored, which are discussed in more detail below

Retention and rooftop extension (utilising existing stair)

10.12 This option tested the full retention of the building with a two storey, stepped-back roof extension. It was discounted due to the poor quality of accommodation which would be retained and the difficulty in bringing it up to current standards. None of the existing or new dwellings would be accessible, and the retained existing flats would still suffer from a poor quality of accommodation with no external amenity space.

Façade retention and new build with new stair and core

10.13 This option explores the retention of the existing front façade and the erection of a new build structure behind. Although this option would provide a new internal lift and step free access, this would require significant internal demolition and rebuild; the units would become single aspect as a result of the new core, and consequently would suffer from poor daylight and sunlight as they would be served by the existing windows which would not provide adequate light to the rear rooms; and the dwellings still would not have any external amenity space.

Façade retention and modification with new build and new stair and core

10.14 This option explores the retention of the existing façade, but the alteration of the slab levels behind and associated changes to the window positions on the front façade. As a consequence, the extent of the alterations to the retained façade would be substantial, with very limited fabric retained.

10.15 Overall, it was considered that given the substantial nature of the modifications that would be required to the retained façade in order to accommodate the new floor levels, the proposals would alter the appearance of the façade to such an extent that any remaining historic value would be lost. Given the compromised quality of the residential units provided, the limited heritage value retained is not considered great enough to warrant the poor quality of accommodation provided.

10.16 Officers agree with this conclusion – given the significant inadequacies with the existing flats, the level of intervention and demolition required to bring them up to current standards, the fact that the front and rear facades have already been heavily altered previously and are not a high quality example of an original Georgian townhouse, and the significant improvements to the quality of accommodation provided as part of a full redevelopment scheme, the principle of demolition is accepted in this instance.

10.17 Energy and sustainability considerations are discussed in more detail in Section 15 (Sustainable Design and Construction); however, the proposed development would incorporate a range of sustainable design and construction features. The

development would minimise on-site energy use with a highly thermally efficient building fabric, air source heat pumps, highly efficient lighting, water saving sanitary fittings and appliances, and the use of materials with a low lifecycle environmental impact. The development would exceed policy targets for CO2 emissions reductions.

- 10.18 A detailed Whole Life Carbon Assessment ('WLCA') has been submitted with the application which demonstrates that in this case, the demolition of the existing building would be the most sustainable solution over a 60 year period (the RICS standard for WLCAs) due to the reductions which can be achieved in operational carbon, despite the embodied carbon spend. The assessment demonstrates that it is not the most sustainable option in the long term to retain the existing building structure, primarily because of the building's age and the extent of intervention that would be required to bring it up to modern standards, and that redeveloping the site would provide significant carbon savings over the life cycle of the building.
- 10.19 Where the principle of demolition is accepted, Policy CC1 expects developments to divert 95% of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. A Site Waste Management Plan has been submitted which sets targets for construction and demolition waste generation and appropriate mechanisms/protocols for segregating waste on-site and monitoring overall waste management. It states that the development will aim for more than 90% by tonnage of demolition and construction waste to be diverted from landfill. This shall be secured by condition (condition 27).
- 10.20 Overall, the proposed demolition of the existing buildings is considered acceptable in this instance, in accordance with policies D1, D2, and CC1 of the Camden Local Plan 2017 and the FAAP 2014. It is recommended that permission is granted subject to the condition that evidence of a signed building contract for the construction of the (whole) development is provided before demolition of the building takes place to prevent the situation that the existing building is demolished and no replacement constructed (condition 5).

11 Design and Conservation

Legislative background

The Planning (Listed Building and Conservation Area) Act 1990

- 11.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 11.2 The effect of this section of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of Listed Buildings and their settings.

Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified (section 16).

11.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.4 The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework 2019 (NPPF)

11.5 The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 195 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 199-202 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 202 states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

11.6 Paragraph 203 recognises the importance of non-designated heritage assets, stating that:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Policy review

11.7 London Plan policies 7.1 - 7.7, policy D1 and CPG (Design) seek to secure high quality design. Policy D1 seeks to secure high quality design in all development by requiring development to respond to local character and context, be highly sustainable in design and construction, integrate well to the surrounding streets and townscape, comprise high quality architecture, and be accessible for all. Policy D2 requires development to preserve, and where appropriate, enhance

Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

- 11.8 The Fitzrovia Area Action Plan (2014) aims to help shape the future of Fitzrovia and when discussing urban design principles, states that new development should respond positively to the prevailing form of nearby buildings and frontages in terms of scale and grain.

Site description and assessment of significance

- 11.9 The application site is located to the northern side of Tottenham Street and comprises a five storey building with basement, ground floor shopfront and three upper floors. The application site is not listed but is located within the Charlotte Street Conservation Area and is identified as making a positive contribution to the character and appearance of the conservation area in the appraisal and management statement.
- 11.10 The plot was originally laid out in the late 18th Century as were most of the streets in the area. The north side of Tottenham Street has been developed and altered over the last two centuries, and as a result, no. 52 is the last remaining historic terraced house in this part of the street. It is flanked by 30 Cleveland Street which is a six storey mid-20th Century commercial building which has recently been refurbished and Arthur Stanley House which is a large eight storey building that has been noted as a detractor within the conservation area and which is currently undergoing refurbishment and extension.
- 11.11 The site is located within the Howland Street character area which the Fitzrovia AAP notes has a significantly larger urban grain than other areas, with a large number of post-war steel and concrete buildings. The site is an oddity within the street adding some architectural interest. It also breaks up the scale and density of the block providing some relief from Arthur Stanley House which dominates the streetscape. However, to some degree this is the limit of the building's positive contribution. Upon closer inspection, it is clear that the front elevation has been almost entirely rebuilt during the 20th Century. The fenestration has also been altered with apertures no longer following the proportions of a typical Georgian terrace house and demonstrating no hierarchy between the upper floors. The roof is also not original, and whilst a butterfly profile still exists, it has been raised and altered to create a higher floor to ceiling height on the top floor, further altering the historic hierarchy of spaces. The rear of the building has some original brickwork, but the fenestration has been drastically altered, with large openings created and casement UPVC windows inserted. The ground floor has also been extensively extended to the rear and there is now no rear garden.
- 11.12 As a result, the positive contribution the building makes to the conservation area is derived less from its historic interest (as very little of the building is historic and the rebuilt elements do not accurately replicate a historic building) but more from the relief and contrast it provides between the two larger neighbouring buildings with its different architectural style and scale creating a break between them.

Significance of the Heritage Assets

11.13 The following section appraises the significance of nearby heritage assets as far as is relevant to the context of the application, before considering how the significance of these assets would be impacted by the proposals. Figure 6 shows a map of the nearby designated heritage assets surrounding the site.



Figure 6: Heritage assets surrounding the site

11.14 The application site is located within the Charlotte Street Conservation Area. It is not a listed building but is identified as making a positive contribution to the character of the area by the Conservation Area. The nearest listed buildings are 39 Tottenham Street to the south east and 22 Cleveland Street to the south west. A parish boundary marker fixed to 49 Tottenham Street opposite the application site is locally listed.

Charlotte Street Conservation Area

11.15 The Charlotte Street Conservation Area was designated in 1974. The area's spatial character derives from the densely developed grid pattern of streets and limited open space. Development is predominantly four storeys and set back from the street by a small basement area creating a strong sense of enclosure. Although a range of building types is evident across the conservation area the predominant building type is the townhouse in a terraced form.

11.16 The area was originally developed as a primarily residential area but during the later 18th and 19th centuries the area became more mixed as shops and public houses were developed or inserted into older buildings and a mix of residential uses, cafes, and small businesses were established at ground level. This varied mixed-use character remains and contributes to the charm and character of the area today.

- 11.17 The essential pattern of the terraced townhouses have a number of characteristic details in their design including the repeated pattern of windows that reduce in height from the first floor upwards, signifying the reducing significance of the rooms beyond. Properties are sometimes two or three windows across, mainly with sliding sashes.
- 11.18 Tottenham Street is noted as being a mixed-use street which is characterised by a mix of residential, shopping and commercial uses that tend to have a ground level shop frontage onto the street, but are quieter than the main thoroughfares. The frontages are generally comprised of three or four storey townhouses which generate a strong parapet line along these streets. The predominant material is yellow stock brick with areas of stucco.
- 11.19 The most notable views are to local landmarks, primarily the BT Tower (outside the conservation area), viewed when travelling north and which serves as a more recent reference point and aid to orientation. Centre Point similarly is a feature of the view south along Tottenham Court Road.
- 11.20 As discussed above, the principal contribution the application site makes to the conservation area is from its different architectural style and scale and the relief and break this creates between the two larger neighbouring buildings. The existing building reflects the historic development of the area, with the plot size remaining as originally laid out and the brick frontage complementing the other historic buildings in the area. The building appears as a single surviving remnant (although heavily altered) of a historic terrace. However, the historic buildings to the south side of Tottenham Street provide better examples of historic terraces and on the whole, have not been as heavily altered as the application site.
- 11.21 Given the site is not a well preserved example of a historic building and has been heavily altered, as well as the fact that those elements which make up the building's positive contribution to the conservation area (a different architectural style and scale and the relief between the neighbouring buildings) could be re-provided by a new building, the principle of the building's demolition is considered acceptable subject to its replacement with a new building of a very high quality of design which makes an equal contribution to the character and appearance of the streetscene.
- 11.22 In this regard, the proposed building has been designed with two distinct elements: the main street frontage (ground to 6th floor) and the set back upper levels. The lower section seeks to respond to the existing scale and historic character of the street with a commercial use at ground floor and an ordered front elevation reflecting the historic hierarchical window pattern of the traditional Georgian terraces. The proposed building interprets Georgian proportions in a unique and modern way that is well integrated into the architecture. Metal screening is used to reduce the height of the openings up the façade to correspond to typical Georgian proportions and hierarchy of window openings, and acting as a reminder of the building that once stood on the site, whilst also responding to solar heat gain in the upper apartments. Although the existing building tells a story of the evolution of the townscape, the replacement building

continues this story in a modern way, retaining the narrow plot size and contrasting scale, which will continue to provide relief to the townscape through an enhanced architectural approach.

- 11.23 The ordered design of the front elevation is well balanced and proportioned, successfully mediating between the two buildings either side which are of a different design with different floor levels. The decreasing window sizes also complement the historic terrace on the opposite side of Tottenham Street.
- 11.24 In terms of its height, scale and form, the main body of the proposed building reaches seven storeys to align with the neighbouring Arthur Stanley House. Views from the street will therefore give the impression of a consistent building line reinforcing the scale and rhythm of the block. The building then extends a further four storeys from the shoulder height, stepping backwards to reduce the footprint at each level. The stepping of the form limits the visibility of the higher part of the building ensuring it can only be seen from the upper floors of neighbouring buildings and in limited long views. The applicant's Heritage Assessment includes a number of verified views which demonstrate that the additional height is only visible from the end of Goodge Place, and partially visible from the junction between Cleveland Street and Pearson Square.
- 11.25 It is recognised that the extended height is unusual; however, the narrow plot and the neighbouring context are considered to provide an appropriate location for this type of development, creating architectural interest and a pleasing aesthetic. Concerns were raised by the CAAC that the development would form a precedent for additional height within the local area, but due to the unique opportunity on this small site and limited footprint of the upper storeys it is considered that the height would be an anomaly within the block and would not create a precedent for further height in the area. Nevertheless, each application must be assessed on its own merits in the context of the unique characteristics of each site.
- 11.26 Overall, the design of the proposed development is of a high quality and deploys materials and detailing which make reference to historic buildings within the conservation area and it is considered to preserve the townscape character of Tottenham Street. The Conservation Area Statement highlights how the area's spatial character derives from the densely developed grid pattern of streets, with a strong sense of enclosure. It notes how the mixed use character contributes to the charm of the area and the importance of the small scale of uses to the quality and character of the conservation area. The proposed development would re-provide a number of these important elements which contribute towards the character and significance of the conservation area. Although the proposed building would be different in form, height and detailing, it would be respectful of the traditional Georgian architecture whilst sitting comfortably against the larger scale development neighbouring it.

Neighbouring listed buildings

- 11.27 The BT Tower is a grade II listed radio tower, built in 1961-65. Although it is located approximately 220m to the north of the site, given its height of over 580

feet it is visible in many views within the conservation area. The tower's height, elegance, circular shape and historic interest as a centre of national and international telephone communication are considered to contribute to its significance. Although highly visible within many views, in the immediate proximity of the application site it is only visible from the southern end of Goodge Place where it sits behind Arthur Stanley House and from Cleveland Street where it sits behind no.30 Cleveland Street. The application site and the proposed extension are not visible in the majority of these views, with only a slither of the development visible from the southern end of Goodge Place where it is set well away from the BT tower and does not interrupt views of it. As such, the proposals are not considered to harm the setting or the significance of the BT Tower.



Figure 7: Proposed development and relationship with BT Tower

- 11.28 39 Tottenham Street is a four storey end-terrace property with basement and later ground floor shopfront. It was listed Grade II in 1974. Constructed in the late 18th Century, it has typical proportions with two windows serving each floor to the front elevation, constructed of darkened stock brick. The ground floor features an early 19th Century double shopfront fronting Tottenham Street and Goodge Place with pilasters and projecting cornice flanked by mid 19th Century stucco consoles. The upper floor has previously been re-faced and the building extended to the rear with a three storey infill.
- 11.29 Nos. 16, 18, 20 and 22 Cleveland Street and their attached railings are listed Grade II and are late 18th Century terrace houses. They are constructed of darkened stock brick. No. 22 sits on the corner of Cleveland Street and Tottenham Street closest to the site, with a double wooden shopfront and 1-window return to Tottenham Street.

11.30 Due to the distance between the application site and the neighbouring listed buildings, the proposals would not cause harm to the setting or significance of these heritage assets. The architectural character of the buildings, being typical examples of late 18th Century townhouses, and the densely developed townscape surrounding them are considered to contribute to the significance and setting of these listed buildings. The development would not cause harm to either of these elements. The proposed building would retain a shoulder height in keeping with its two neighbours, with the floors above significantly set back to ensure the additional height is not visible in views along Tottenham Street and preserving the setting of the neighbouring listed buildings.

London View Management

11.31 The application site is located within the wider setting of the strategic view from Parliament Hill to the Palace of Westminster (Strategic View 2A.2). The site is located within the 65-70m height threshold area, and would reach a total height of just over 64m. It is therefore below the threshold and would not impact on this strategic view.

49 Tottenham Street

11.32 There is a parish boundary marker fixed to the front elevation of no.49 at first floor level which has been locally listed for its historical and townscape significance. It is an elliptical metal plate dated 1834 with the inscription 'St P P' which refers to the civil parish St Pancras. It is one of a network of parish boundary markers that once existed across Camden and beyond, marking the boundaries of civil parishes. The markers add interest to the townscape and the buildings upon which they are fixed and are significant for their rarity.

11.33 The proposed demolition and re-development of the application site would not impact the plate, the building on which it sits nor views of it, and as such, would preserve the significance of the non-designated heritage asset.

Form, massing and height

11.34 The proposed building would be 11 storeys high and project 2-3 storeys above its neighbouring buildings. At the upper levels the building steps back to respond to the prevailing datum line of Arthur Stanley house creating a consistent building line on the street. Due to its small footprint and the narrow frontage of the upper storeys, the bulk of the height is limited and would not have an impact on the street. The stepped back upper storeys would create a unique form in the roofscape and would be seen as a distinct element with a recessive form.

11.35 When viewed from the junction between Tottenham Street and Goodge Street the upper 4 storeys would be obscured by Arthur Stanley house and would not be visible from the street (see figure 3). From the Junction between Tottenham Street and Cleveland Street looking north east the flank walls of the stepped floors can be partly seen above the prevailing building height. The profile of these walls give the roofscape a distinctive form. The stepped form helps to identify the

upper floors as attic floors, responding to the prevalence of set-back mansard roofs on the south side of Tottenham Street.

- 11.36 One of the unique characteristics of the existing building is its lower building height which contributes to the variation and character of the street. Variation in building height can also be seen on the southern side of the street. Although the height of the proposed development would now match that of Arthur Stanley House on the street frontage, the high-quality detailing, proportions and materiality would add new interest to the site and streetscene.

Detailed design/Materials

- 11.37 The main street frontage is highly articulated with deep inset balconies and bold mouldings and detailing. The protruding cornice would be seen in oblique views along the street which would offer a slither of façade variation and contribute to the character of the street. The double height cornices exaggerate the narrow and tall proportions of the building, highlighting this unique narrow site and its contribution to the street.
- 11.38 The proposed cladding material for the building is a dark bronze. To the front elevation the material is moulded into louvres that vary in size over the elevation of the building. The bronze also forms projecting, curved, horizontal banding that creates the handrails/barriers to the balconies. To the rear and to the sides the material is formed into larger and simpler horizontal panels.
- 11.39 The qualities of the bronze metal cladding creates an interesting contrast with the stock brick, which is the dominant building material within the area. The smoothness of the metal next to the roughness of the bricks creates a complimentary aesthetic. The colours and tone of the bronze responds well to the yellows and browns of the stock bricks allowing for a common language between the two materials.

Design and Conservation Conclusion

- 11.40 The proposed development provides a unique response to the site based on a thorough understanding of its townscape and heritage context. The new building would comprise two distinct elements, the main street frontage and the set back upper floors. The existing building on site is noticeably lower than its surroundings, and the parapet of the main street frontage of the new building, at sixth floor level, provides an intermediate height between 30 Cleveland Street and Arthur Stanley House at the street frontage. The stepped massing and differing architectural treatment of the upper floors reduces the perceived massing of the building as seen from the street. The increased height reflects the height of other buildings on this side of the street and in the area generally. Although it is recognised that the existing building's lower height provides a visual break between the two neighbouring buildings, the high quality design and architectural aesthetic of the replacement building is considered to provide an equal sense of relief.

- 11.41 The proposed development is of a high quality of architectural design. It has a distinct modern aesthetic, whilst taking influence from the surrounding historic buildings. The building deploys a limited palette of high quality materials which relate well to the site's surroundings. It has clear regard to the historic grain of the site and its surroundings and the proportions of the surrounding Georgian architecture. Materials and the façade detailing shall be heavily conditioned to ensure this high standard of design is delivered at construction stage (condition 3).
- 11.42 It is recognised that often when the original architect is not retained to oversee the construction phase of the development and champion design quality, there is an increased risk that design quality of the development could be eroded through inappropriate detailed design and design changes. As such, it is recommended that the scheme architects DSDHA are retained by S106 legal agreement, and that appointment of an alternative architect must be approved in writing by the local planning authority in order to uphold the necessary standard of design, architectural quality and materiality required for this prominent location. Overall, the proposals are acceptable in design terms and would be in accordance with policy D1 of the Camden Local Plan.

Heritage impact and balance of benefits

- 11.43 As discussed above, the removal of the building will cause some harm to the existing streetscene which in turn will cause limited harm to the character of this part of the conservation area. However, given the existing building has been significantly altered previously, does not sit within a uniform, historic terrace with a strong parapet line, and does not retain an attractive or historic shopfront, this harm would be at the lower end of "less than substantial". Nevertheless, considerable weight and importance should be given to that harm, and it should be outweighed in the balance by considerable public benefits. Paragraph 202 of the NPPF states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

- 11.44 Paragraph 203 is also relevant which states:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

- 11.45 Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. The proposals are considered to provide a

number of public benefits, including environmental, social and economic benefits. These are listed below.

Social benefits

- The replacement of four substandard homes with four new homes which provide a high quality of accommodation, are accessible and adaptable, and benefit from outside amenity space.
- A new mix of dwelling sizes which includes a larger three bedroom family home.
- Provision of level access to the building which is not currently provided.
- Opportunities for local people to undertake construction apprenticeships.

Environmental benefits

- Provision of a new sustainable building which exceeds carbon reduction targets.
- High quality of design of the replacement building which would provide an overall improvement to the townscape and streetscene.
- Creating car-free development at the site which promotes more sustainable forms of transport.

Economic benefits

- Provision of new high-quality affordable office accommodation which would cater to small and medium sized enterprises.
- Investment in Camden economy through local procurement during construction.

11.46 The loss of the existing building would cause some minor harm to the character and appearance of the streetscene; however, the replacement building would be a high quality of architectural design and materials which would make an equal, if not improved contribution to the streetscene. The land use and other public benefits which would be delivered would outweigh this minor harm, and the proposed development is therefore considered acceptable in this regard, in accordance with policy D2 of the Local Plan.

12 Impact on neighbouring amenity

Policy review

12.1 Camden Local Plan policies A1 and A4, Principle 9 of the FAAP and the Amenity CPG are relevant with regards to the impact on the amenity of residential properties in the area. Any impact from construction works is dealt with in the transport section.

Daylight and sunlight

12.2 A Daylight and Sunlight Report has been submitted as part of this application prepared by Point 2 Surveyors Limited which details any impact upon neighbouring residential properties.

- 12.3 The methodology and criteria used for the assessment is provided by the Building Research Establishment's (BRE) guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (BRE 209 2nd edition, 2011).
- 12.4 To assess the impact on daylight to neighbouring windows following development, the assessment uses the Vertical Sky Component (VSC) test and the No-Sky Line (NSL) test. The VSC is calculated at the centre point of each affected window on the outside face of the wall in question. A window looking into an empty field will achieve a maximum value of 40%. BRE guidelines suggest that 27% VSC is a good level of daylight. If a window does not achieve 27% VSC as a result of the development, then it is assessed whether the reduction in value would be greater than 20% of the existing VSC – which is when the reduction in light would become noticeable to occupants. However, officers consider that VSCs lower than 27% are normal for densely-built urban areas, with 20% still considered acceptable.
- 12.5 The NSL test calculates the distribution of daylight within rooms by determining the area of the room at desk / work surface height (the 'working plane') which can and cannot receive a direct view of the sky and hence 'sky light'. The working plane height is set at 850mm above floor level within residential properties. The guidance states that reductions of more than 20% of the existing NSL value would be noticeable (i.e. levels of NSL are reduced to less than 0.8 times their former value).
- 12.6 For sunlight, the Annual Probable Sunlight Hours (APSH) test calculates the percentage of probable hours of sunlight received by a window or room over the course of a year. In assessing sunlight effects to existing properties surrounding a new development, only those windows orientated within 90 degrees of due south and which overlook the site require assessment. The main focus is on living rooms, with bedrooms and kitchens deemed less important. For neighbouring buildings, the guide suggests that occupiers will notice the loss of sunlight if the APSH to main living rooms is both less than 25% annually (with 5% during winter) and that the amount of sunlight, following the proposed development, is reduced by more than 4%, to less than 0.8 times its former value.
- 12.7 The submitted report assessed the impact to the closest residential properties surrounding the application site which included nos. 31, 35, 37, 39, 41, 43, 45, 47 and 49 Tottenham Street. Although there are other residential on the north side of Tottenham Street and on Tottenham Mews, these are too far away to be affected by the development.



Figure 18: Nearest residential properties to the application site shown in blue

Daylight

- 12.8 BRE guidance is that changes below 20% will not be noticeable. The VSC results show that 334 windows out of a total of 340 windows tested would meet BRE guidelines, i.e. the loss of daylight to these windows would be less than 20% and therefore unnoticeable. The six windows that would not meet the BRE guidelines are isolated to 43 Tottenham Street opposite the application site. However, the losses to these windows would be 20.3%, 20.44%, 20.78%, 20.71%, 20.61% and 20.74%. As such, the losses to these windows would be less than 1% over the BRE recommendations.
- 12.9 Further, looking at the data in more detail, the report assesses each window pane within a sash window as a separate window, and therefore although the results suggest six windows are affected, in reality, this equates to half of one window at first floor and one window at second floor. Two windows serve each floor, and the second window per floor would not see losses over 20%. As such, the development is not considered to result in a harmful loss of daylight to these rooms.
- 12.10 In relation to light penetration into the room (NSL), 50 out of 72 rooms would meet the BRE guidelines. The rooms which would not meet the guidance are at 41, 43, 45 and 47 Tottenham Street. However, it is noted that the rooms affected are all north facing and already demonstrate low existing levels of daylight. Therefore, even minor changes are likely to demonstrate disproportionate

changes to NSL levels. Given all windows would either exceed BRE recommendations for VSC, or where they do not exceed them, are less than 1% below guidelines, the overall impact to these properties is not considered to be significant.

Sunlight

- 12.11 Only one property at 39 Tottenham Street has site facing windows which are orientated within 90 degrees of due south. The assessment should that this property would not see a noticeable reduction in sunlight.

Conclusion – Daylight and sunlight

- 12.12 Overall, whilst the BRE assessment showed impacts to the NSL levels of nos. 41 – 47 Tottenham Street, in reality, these are all north-facing rooms already overlooking the large-scale buildings at Arthur Stanley House and 30 Cleveland Street, with low existing NSL levels. Given these properties would retain acceptable VSC levels, overall, any impacts to daylight and sunlight are not considered to be significant, and would not warrant refusal of the application on this basis.

- 12.13 Following the submission of the application, the BRE guidance was amended in June 2022. In terms of the assessments outlined within the guidelines for external assessments, i.e. methodologies undertaken to consider neighbouring buildings, these remain consistent with the superseded 2011 BRE Guidelines and therefore there is no change.

Outlook

- 12.14 The residential properties closest to the application site are 41 – 49 Tottenham Street, located on the south side of the street opposite the application site. The existing building is 4 storeys in height and is adjoined by the 7 storey 30 Cleveland Street and 8 storey Arthur Stanley House. The proposals would increase the application site to 11 storeys, which would be 8m taller than Arthur Stanley House.
- 12.15 Although the extension would undoubtedly be visible from the neighbouring residential properties, it is not considered out of character in this context where the existing outlook from these homes is dominated by large scale development on the northern side of Tottenham Street. The use of deep set backs from the seventh floor upwards would also help to reduce the visual dominance of the additional floors when viewed from neighbouring windows.
- 12.16 Given the existing site characteristics, the narrow road layout and the proposed setback of the upper floors, the proposals are not considered to cause harm to neighbouring outlook.

Noise and disturbance

- 12.17 The proposals include the provision of a basement level plant room as well as air source heat pumps (ASHPs) serving all units, Mechanical Ventilation Heat Recovery (MVHR) units and fan coil units (FCUs).
- 12.18 A Noise Assessment has been submitted with the application prepared by Sandy Brown consultants. Environmental noise and vibration surveys have been carried out to establish:
- background sound levels around the site and by nearby noise sensitive premises;
 - ambient and maximum noise levels at the site; and
 - vibration levels affecting the site.
- 12.19 The background sound levels measured during the survey are used as the basis for setting limits for noise emissions from proposed building services plant. These limits are set in accordance with the requirements of Camden's noise standards. The potential noise sources associated with the scheme can be divided into two categories – building services plant and internal activity in the commercial unit. The report has assessed the potential impact of these sources and proposed mitigation measures to minimise impact on existing noise sensitive premises around the development.
- 12.20 All building services plant will be designed to comply with Camden's noise limits and the external ASHPs will be housed in acoustic enclosures on the terraces of the units which they serve to reduce noise levels and to ensure there is no disturbance to the nearest noise sensitive receptor.
- 12.21 Noise breakout from the ground floor commercial premises will be reasonably well controlled by a facade specified to achieve the required standards. To provide protection for the level 1 residential tenants against sound from the ground floor commercial space it is recommended that the sound insulation performance of the level 1 party floor achieve a performance of at least 5dB above the minimum Building Regulations Approved Document E performance requirements.
- 12.22 The report has been reviewed by the Council's Environmental Health Officer (EHO) who has confirmed the report has followed an appropriate methodology and that the proposals are acceptable in Environmental Health terms subject to conditions securing plant noise standards, residential internal noise standards and anti-vibration measures (conditions 8, 9 and 10).

Overlooking

- 12.23 The existing building is a four storey property with commercial use at ground level and residential use to the three upper storeys. It sits opposite a number of four storey residential buildings of a similar height with either commercial or residential use at ground floor level.

- 12.24 Although the proposed building would be taller, it would not introduce additional opportunities for overlooking given the front elevation would be the same distance from neighbouring properties, and the building would contain the same mix of uses as the existing. Furthermore, the front façade has been designed with a double height balcony serving each duplex, so that the windows serving these units would be set back from the front building line by at least 2m. As such, the proposals are likely to represent an improvement compared to the existing arrangement.

Amenity Conclusion

- 12.25 The proposed development would not have a significant effect on the daylight and sunlight amenity levels within the residential properties facing the application site. Although the proposed building would alter the outlook from these properties, this impact is not harmful, and the proposals would not cause unacceptable harm by way of loss of privacy or noise disturbance subject to the suggested conditions. As such, the proposals are considered to accord with policies A1 and A4 of the Local Plan.

13 Basement impact

- 13.1 Policy A5 (Basements) states that the Council will only permit basement development where it is demonstrated that it will not cause harm - structurally, in amenity terms, environmentally or in conservation/design terms.
- 13.2 There is an existing single level basement beneath most of the footprint of the site. 30 Cleveland Street to the west also has an existing single level basement which sits slightly deeper than the application site, and Arthur Stanley House to the east also has a two storey basement. The proposals include the lowering of the existing basement to a similar level as 30 Cleveland Street and its extension towards to the rear of the site to cover the entire footprint of the building.
- 13.3 The application was accompanied by a Basement Impact Assessment (BIA) prepared by Card Geotechnics Ltd (CGL) engineering consultants. The independent review by the Council's basement consultant (Campbell Reith) concluded that the BIA is adequate and in accordance with policy A5 and guidance contained in the Basements CPG. The applicant has satisfactorily demonstrated that the proposed basement would not cause harm to the built and natural environment and would not result in flooding or ground instability. A Ground Movement Assessment (GMA) predicts damage to neighbouring properties will not exceed Burland Scale Category 0 (Negligible) in accordance with the Basements CPG requirements.
- 13.4 Permission would be granted subject to a condition requiring details of the appointment of a suitably qualified chartered engineer to inspect, approve and monitor the critical elements of the basement construction (condition 6).
- 13.5 As such the proposed basement development is considered to accord with Policy A5 the Basements CPG and the proposals are acceptable in this regard.

14 Air quality

- 14.1 The application site is located in the Central London Area close to the busy Tottenham Court Road. The whole of the Borough of Camden was declared an Air Quality Management Area (AQMA) in 2000 due to concern over the achievement of long-term NO₂ AQS objective and short-term PM₁₀ AQS objective.
- 14.2 Policy CC4 seeks to ensure that the impact of development on air quality is mitigated and ensure that exposure to poor air quality is reduced in the borough. The Council will take into account the impact of air quality when assessing development proposals, through the consideration of both the exposure of occupants to air pollution and the effect of the development on air quality. Air Quality Assessments (AQAs) are required where development is likely to expose residents to high levels of air pollution. Given the proposed demolition works and the location of the residential units within an area of poor air quality, an Air Quality Assessment (AQA) has been submitted prepared by WYG.

Impacts on local air quality (operational phase)

- 14.3 The air quality assessment considers the operational phase of the proposed development and impacts on local air quality due to emissions from road traffic associated with the proposed development. No on-site or on-street parking is provided as part of the proposed development and the proposed development would be secured as car-free by S106 agreement.
- 14.4 Road traffic is identified as the dominant emission source that is likely to cause potential risk of exposure of air pollutants. The long-term operational assessment predicts there would not be an increase in the annual average exposure to NO₂ or PM₁₀ at any existing receptor, and there is predicted to be no change in the NO₂ or PM₁₀ concentrations as the proposed development would be car-free.
- 14.5 The Air Quality Neutral Assessment (AQNA) considers the emissions of atmospheric pollutants from the development at source (i.e. from vehicles and building services plant) and compares the emissions with the benchmark levels that define neutrality. The AQNA demonstrates that the development would be air quality neutral for the building and transport emissions in accordance with policy requirements.

Impacts on occupants

- 14.6 The modelling shows there would be exceedances of the Air Quality Objective (AQO) for NO₂ for future occupants, with proposed units predicted to experience concentrations of NO₂ above 40µg/m³. As such, mitigation measures are required and all units are proposed to have mechanical ventilation installed.
- 14.7 These units will be provided with filtration to remove concentrations of NO₂ and NO_x and improve indoor air quality in the new dwellings. Full details of the mechanical ventilation would be secure by condition (condition 20).

Construction impacts

- 14.8 During the construction phase of the proposed development, there is the potential for demolition and construction activities to generate fugitive emissions of dust and PM10. There is the risk of such emissions affecting amenity or health at receptors located in proximity to the source of emissions, unless appropriate mitigation measures are adopted. An assessment of the effects from fugitive emissions of dust and PM10 from the proposed development has been undertaken. Overall, the Dust Risk Assessment identifies the site as having a medium risk of causing impacts during demolition and construction, and mitigation measures consistent with a medium-risk site should therefore be implemented in order to ensure the impact of the construction phase would not be significant.
- 14.9 The Mayor's recommended measures for Medium Risk sites would be secured via a CMP within a section 106 agreement. Real-time dust monitoring would be required with baseline monitoring secured by condition (condition 18).

15 Sustainable design and construction

- 15.1 The Local Plan requires all development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards. Local Plan policy CC1 requires all developments to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage. Policies CC2 and CC3 are relevant with regards to sustainability and climate change. Minor residential developments (up to four units) are expected to achieve a minimum 19% reduction in regulated CO2 emissions below Part L 2013 and renewables are expected to be incorporated where feasible. Water use should not exceed 105 litres per person per day plus 5 litres per person per day for external use.
- 15.2 The proposed development seeks to incorporate a range of sustainable design and construction features. Construction is constrained to the extent that it is a narrow land-locked site which limits orientation options with glazing located on the south side, but balconies and louvres would provide a degree of shading to limit solar gains. The development also seeks to minimise on-site energy use with a highly thermally efficient building fabric, air source heat pumps for the residential flats and commercial space, highly efficient lighting, water saving sanitary fittings and appliances, and the use of materials with a low lifecycle environmental impact.
- 15.3 Various renewable energy options have been explored including biomass systems, micro hydro power, micro wind power, water and ground source heat pumps and solar systems but none of these are suitable in the context of the site constraints and small area at roof level. However, all residential flats and the commercial unit will be served by air source heat pumps, full details of which will be secured by condition.

15.4 Overall, the residential development would achieve a total reduction of 53% in carbon emissions beyond Part L of the Building Regs 2013, with a 36% savings from renewable energy which well exceeds the policy requirement. The commercial element would achieve a total reduction of 48%, with 37% from renewables. These targets will be secured as part of the Energy Efficiency and Renewable Energy Plan secured by S106 agreement. The requirements are met for water consumption and would be secured by condition (condition 26).

Overheating

15.5 The external façade has been designed to mitigate the potential for overheating. Glazing is set back behind the outer façade by approximately 1.5, and external louvres/briese soleil are an integral element of the façade design, increasing in size to the upper levels in response to the additional sunlight exposure at these heights. Planters are also integrated into every level to further mitigate solar gain. Nevertheless, due to the southern orientation of the building, a basic overheating risk assessment suggests the site may be at risk of overheating and mechanical cooling is proposed as a contingency against hotter summers.

15.6 In their response, the GLA confirmed that this is acceptable subject to a condition requiring a Dynamic Overheating Analysis to assess the overheating risk on any naturally ventilated spaces.

15.7 Policy CC2 of the Camden Local Plan states that active cooling will only be permitted where dynamic thermal modelling demonstrates there is a clear need for it after all of the preferred measures are incorporated in line with the cooling hierarchy. As such, given mitigation measures have been proposed and a basic overheating assessment suggests the site may still be at risk of overheating, if permission is granted, the use of active cooling would be subject to it being demonstrated via thermal modelling, and full details of the incorporation of other cooling hierarchy measures, that the site is still at risk of overheating (condition 28).

15.8 Overall, subject to the suggested conditions and a Sustainability and Energy Plan being secured by S106 agreement, the proposed development is considered to comply with policies CC1 and CC2 and is acceptable in this regard.

16 Transport

Policy review

16.1 Camden Local Plan policies T1, T2, T3 and T4 and the Transport CPG are relevant with regards to transport issues.

Car parking

16.2 Policy T2 states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The application site is located within the Central London Area, falls within a controlled parking zone and has a PTAL rating of 6b (the best). Therefore, the proposed development would

need to be car-free. No off-street car parking is proposed and the applicant is willing to restrict the ability of residents to apply for an on-street parking permit via legal obligation.

- 16.3 Subject to a car-free development being secured as a S106 planning obligation, the proposal would be in accordance with policy T2.

Cycle parking

- 16.4 Local Plan Policy T1 requires developments to sufficiently provide for the needs of cyclists. The development is required to provide 7 long stay spaces and 1 short stay space for residents in order to meet the requirements of policy T1 and the London Plan.
- 16.5 The existing site does not contain any cycle parking for existing residents. The proposals would provide 7 long stay spaces in the basement of the development, accessed via the stairwell or the lift which is in accordance with the London Plan requirements. Although the parking would be in the form of semi-vertical stands, the Council's Transport Officer has confirmed these are acceptable in this instance due to the limited space available within the site. The provision and ongoing retention of the cycle parking shall be secured by condition (condition 17).
- 16.6 There is space to locate the short stay cycle parking space on the public highway in the vicinity of the site. The cost to locate a Sheffield stand (£250) shall be secured as part of the Highway Works Contribution.

Highway and Public Realm impacts in the Vicinity of the Site

- 16.7 The carriageway and footway directly adjacent to the site is likely to sustain damage due to the proposed demolition and construction works. The Council would need to undertake remedial works to repair any such damage following completion of the proposed development.
- 16.8 A highways contribution of £3,293.96 (+£250 for the short stay cycle stand) would need to be secured as a S106 planning obligation if planning permission is granted. This would allow the Council to repave the carriageway and footway directly adjacent to the site and repair any other damage to the public highway in the general vicinity of the site. The highway works would be implemented by the Council's highways contractor on completion of the development.

Trip generation and servicing

- 16.9 The small uplift in residential units and provision of the ground floor workspace will result in a negligible increase in both person and servicing trips to the site. Servicing and refuse trips would occur in a similar way to the existing arrangements, with single yellow lines utilised by servicing vehicles. As such, it is not considered necessary to secure a Servicing Management Plan.

Construction Management Plan (CMP)

- 16.10 Construction management plans (CMPs) are used to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition and excavation works). The Council's primary concern is public safety but it must also be ensured that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, etc.). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area.
- 16.11 A draft CMP has been submitted in support of the planning application. While the information provided in the draft is useful, the CMP document lacks detail as a principal contractor has yet to be appointed. A more detailed CMP would therefore be required and secured via a S106 planning obligation if planning permission is granted.
- 16.12 The Council would expect construction vehicle movements to and from the site to be scheduled to avoid peak periods to minimise the impacts of construction on the transport network. This is very important due to the location of the site. The contractor would need to register the works with the Considerate Constructors' Scheme. The contractor would also need to adhere to the CLOCS standard.
- 16.13 The development, if approved, would require input from Council officers, local residents and other stakeholders. This would relate to the development and assessment of the CMP as well as ongoing monitoring and enforcement of the CMP during demolition and construction. A CMP implementation support contribution of £3,920 would be secured via a S106 planning obligation if planning permission is granted.

Construction Impact Bond

- 16.14 Construction activity can cause disruption to daily activities; however, a well-run site that responds to the concerns of residents can greatly improve the situation. While most sites deal quickly and robustly with complaints from residents and reinforce the requirements of the Construction Management Plan with site operatives, there can be situations where this does not occur and officers in the Council are required to take action.
- 16.15 Camden Planning Guidance (Developer Contributions) states that "In respect of developments raising particularly complex construction or management issues where the Council will have to allocate resources to monitor and support delivery of obligations the Council may require payment of an upfront financial bond which the Council can draw upon if needs be." The bond will be fully refundable on completion of works, with a charge only being taken where contractors fail take reasonable actions to remediate issues upon notice by the Council.

16.16 A construction impact bond of £7,500 would be secured via a S106 planning obligation if planning permission is granted.

17 Refuse and recycling

17.1 Camden Local Plan policy CC5 (Waste) and Camden Planning Guidance (Design) are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.

17.2 Refuse and recycling bins would be provided at basement level within an identified storage area. The bins would be brought up to ground floor via the lift for collection. The storage area would accommodate four 240l recycling waste receptacles, four 240l general waste receptacles and one 240l common use food receptacle. This accords with Camden's Planning Guidance on Amenity.

17.3 The provision and retention of the proposed refuse store shall be secured by condition (condition 15) and an additional condition will also ensure that refuse and recycling bins are not left on the public highway (condition 16).

18 Land contamination

18.1 Policy A2 sets out how the Council will expect proposals for the redevelopment of sites that are known to be contaminated, have the potential to be contaminated, or are located in close proximity to such sites to submit relevant assessments and take appropriate remedial action.

18.2 The application site is located in an area with potential to be contaminated, and as such, an Environmental Risk Assessment has been submitted with the application. The assessment found that there are no landfill or waste management facilities, local authority pollution prevention and controls, hazardous substances, coal mining, ground stability, sensitive land uses, or fuel stations that are considered likely to have a detrimental effect on the site. There are no significant contemporary or historical trade activities in the area surrounding the site considered likely to have any significant impact. It is concluded that the site would appear to be suitable for its proposed end use as a largely residential development. The report has been assessed by the Council's Environmental Health Officer who confirms the report is acceptable in Environmental Health terms and has recommended permission is granted subject to an Asbestos survey and a radon assessment. These shall be secured by condition (conditions 11 and 12).

18.3 An unexploded ordnance (UXO) threat assessment has also been completed as a preliminary assessment highlighted that there is a likely probability of a UXO encounter at the site and that a detailed assessment is required. The detailed assessment advises that the site requires further action to reduce risk to as low as reasonably practicable during intrusive activities and recommends risk mitigation measures. The Council's Environmental Health Team have reviewed the report and confirmed it is satisfactory and that the risk reduction measures

are appropriate. Compliance with these shall be secured by condition (condition 13).

19 Employment and training opportunities

19.1 The proposed development would be likely to generate increased employment opportunities during the construction phase, and as such, the Council would aim to ensure that local people benefit from these opportunities by securing a package of employment and training obligations through a Section 106 legal agreement. These would include the following:

- The applicant should work to CITB benchmarks for local employment when recruiting for construction-related jobs.
- The applicant should advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely.
- If the build costs of the scheme exceed £3 million the applicant must recruit 1 construction apprentice paid at least London Living Wage per £3 million of build costs and pay the council a support fee of £1,700 per apprentice. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Inclusive Economy team. With an expected build cost of approximately £4 million, this would equate to 1 construction apprentice and a support fee of £1,700.
- The applicant must also sign up to the Camden Local Procurement Code.
- The applicant should provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.

19.2 The Employment sites and business premises CPG sets out how the Council will seek to use planning obligations to secure an element of affordable SME workspace from large scale employment developments with a floorspace of 1,000sqm (GIA) or more. Although the proposals would not deliver such an uplift in employment floorspace, the applicant has agreed to provide the ground floor office unit as an affordable workspace which is welcomed and considered to be a significant benefit of the development. The unit shall be secured as affordable by S106 agreement, to ensure it is provided at 80% of market rent in perpetuity. Given the size and affordability of the unit, it would be particularly suitable for small and medium enterprises in accordance with policies E1 and E2 and the proposals are acceptable in this regard.

20 Fire Safety

20.1 Policy D12 (Fire safety) of the London Plan requires certain development proposals to be submitted with a Fire Statement. As the development would provide a new building of at least 18m with two or more dwellings, it meets this requirement and a Fire Statement has been submitted with the application. This includes details of the fire strategy and confirms that there will be no connection between the commercial spaces and the residential building.

- 20.2 The fire strategy for the residential use is based on guidance in BS9991: 2015 Fire safety in the design, management and use of residential buildings – Code of practice. The fire strategy for the non-residential areas is based on guidance in BS9999: 2017 Fire safety in the design, management and use of buildings – Code of practice.
- 20.3 Policy D5 (Inclusive design) also requires development proposals to achieve the highest standards of accessible and inclusive design, specifying that they should, amongst other measures, be designed to incorporate safe and dignified emergency evacuation for all building users. Where lifts are installed, they should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 20.4 The Fire Statement has been reviewed by GLA who confirm it appears to meet the requirements of the London Plan.
- 20.5 As the application was submitted prior to 1st August 2021, the Health and Safety Executive (HSE) have confirmed there is no requirement for them to be consulted.
- 20.6 Permission shall be granted subject to a condition requiring a further Fire Statement to be produced by an independent third party. It would be required to detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision would be made within the site to enable fire appliances to gain access to the building. The submitted details would be assessed by the Council's Building Control department (condition 29).

21 Planning obligations

- 21.1 The following contributions are required to mitigate the impact of the development upon the local area, including on local services. These heads of terms will mitigate any impact of the proposal on the infrastructure of the area.

Contribution	Amount (£)
Highways contribution	£3,543.96
CMP implementation support contribution	£3,920
Construction Impact Bond	£7,500

22 Community Infrastructure Levy (CIL)

- 22.1 The proposal would be liable for both the Mayor of London's CIL2 (MCIL2) and Camden's CIL due to the net increase in floorspace.
- 22.2 This would be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement

notice and late payment, and subject to indexation in line with the construction costs index. An informative would be attached on any decision notice advising the applicant of these charges. The final charges would be decided by Camden's CIL team.

23 Conclusion

23.1 The proposed development is a well-considered scheme which is a result of extensive pre-application discussions.

23.2 With regard to land use, the proposed development is considered to have an appropriate mix of uses for the site, while benefitting a number of the Council's policy objectives by contributing towards a successful economy, significantly improving the quality of the housing stock and providing a new larger family home.

23.3 The proposals would result in the loss of the existing building on site; however, the fairly limited positive contribution the building makes to the character of the conservation area - namely as a reminder of the former terraced town houses through its design, scale and plot-width providing relief and breaking up the scale of the larger neighbouring buildings and its Georgian-style architecture - would be re-provided with the high quality detailing, massing and materials of the replacement building which responds to the historic character of the site in a modern way. Detailed conditions would be attached should planning permission be granted requiring details of materials and other components to ensure the quality of the design is upheld.

23.4 Although there would be some minor harm from the loss of the positive contributor, this would be at the lower end of less than substantial and would be outweighed by the planning benefits brought forward by the replacement building and the scheme as a whole. The proposals include the following benefits:

- The replacement of four substandard homes with four new homes which provide a high quality of accommodation, are accessible and adaptable, and benefit from outside amenity space.
- A new mix of dwelling sizes which includes a larger three bedroom family home.
- Provision of level access to the building which is not currently provided.
- Provision of a new sustainable building which exceeds carbon reduction targets.
- The replacement building would be a high quality of design which would provide an overall improvement to the townscape and streetscene.
- Creating car-free development which promotes more sustainable forms of transport.
- Provision of new high-quality affordable office accommodation which would cater to small and medium sized enterprises.
- Investment in Camden economy through local procurement during construction.
- Opportunities for local people to undertake construction apprenticeships.

23.5 Assessing the development overall, it is considered that it would preserve the character and appearance of the Charlotte Street Conservation Area. The comprehensive redevelopment has provided opportunity to design a building that provides level, step-free access that is inclusive to occupants and visitors, and provides four new homes which would meet current standards and provide a high standard of accommodation unlike the existing units.

23.6 Paragraph 10 of the NPPF states that there is a presumption in favour of sustainable development, which should be a golden thread running through decision making. The dimensions of sustainable development are economic, social and environmental which should be sought jointly. The proposed development would result in significant benefits through all 3 strands of sustainable development without any adverse impacts significantly or demonstrably outweighing them. The proposal is considered to be a favourable sustainable development that is in accordance with relevant National and Regional Policy, the Camden Local Plan, the Fitzrovia Area Action Plan, Camden Planning Guidance and other supporting policy guidance for the reasons noted above.

24 Recommendation

24.1 Planning Permission is recommended subject to conditions and a Section 106 Legal Agreement covering Heads of Terms listed below. Delegated authority is also requested to amend conditions in response to any requests from the GLA at stage II.

S106 Heads of Terms

Affordable workspace

- To refurbish and fit out affordable workspace prior to occupation of residential units and provide the unit at 80% of market value in perpetuity.
- Affordable SME workspace marketing strategy.

Employment and training Plan:

- CITB benchmarks for local employment when recruiting for construction-related jobs.
- Advertisement of all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely.
- 1 construction apprentice paid at least London Living Wage and a support fee of £1,700.
- Recruitment of construction apprentices conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Inclusive Economy team.
- Sign up to the Camden Local Procurement Code.
- Local employment, skills and local supply plan

Energy Efficiency & Renewable Energy plan

Transport

- Car free development
- Construction Management Plan (CMP).
- CMP implementation support contribution of £3,920 and a Construction Impact Bond of £7,500.
- Financial contribution for highway works directly adjacent to the site of £3,293.96 +£250 for a short stay cycle parking stand.
- Level Plans are required to be submitted at the appropriate stage showing the interaction between development thresholds and the Public Highway to be submitted to and approved by the Highway Authority prior to any works starting on-site. The Highway Authority reserves the right to construct the adjoining Public Highway (carriageway, footway and/or verge) to levels it considers appropriate.

Project Architect

- Unless otherwise agreed in writing by the Council (such agreement not to be unreasonably withheld or delayed), not to:
 - Submit any further drawings required to be submitted under or in connection with the planning permission unless such drawings have been prepared by DSDHA Architects;
 - Implement or carry out works forming part of the construction of the development at any time when DSDHA Architects are not employed by the owner as project architects; and
 - Occupy or permit occupation of any part of the extended floorspace until such time as the council has confirmed in writing that it has received certification from DSDHA Architects that the development has been carried out and completed in accordance with the planning permission and any details approved pursuant to the conditions contained within the planning permission.

25 Legal Comments

25.1 Members are referred to the note from the Legal Division at the start of the Agenda.

26 Conditions

1	Implementation The development hereby permitted must be begun not later than the end of three years from the date of this permission. Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2	Approved drawings The development hereby permitted shall be carried out in accordance with the following approved plans:

	<p>Existing drawings: 297_P10.000, 297_P10.001, 297_P10.100, 297_P10.101, 297_P10.102, 297_P10.200, 297_P10.300.</p> <p>Proposed drawings: 297_P20.000 A, 297_P20.100 B, 297_P20.101 A, 297_P20.102 A, 297_P20.103 A, 297_P20.104 A, 297_P20.105 A, 297_P30.100 A, 297_P30.101, 297_P30.102 A, 297_P30.103 A, 297_P30.200 A, 297_P30.201 A, 297_P30.202 A, 297_P30.203 A, 297_P40.100 A.</p> <p>Demolition drawings: 297_P10.400, 297_P10.401, 297_P10.402, 297_P10.500, 297_P10.600.</p> <p>Documents: Cover letter by SM Planning dated 07/07/2020, Design & Access Statement by DSDHA dated June 2020, Planning Statement by SM Planning dated 29/06/2020, Transport Statement by Royal Haskoning DHV dated 25/06/2020, Draft Construction Management Plan dated 25/06/2020, Waste storage and collection strategy by Royal Haskoning DHV dated 04/05/2020, Statement of Community Involvement dated 01/05/2020, Sustainability Statement V6 by Ensphere dated June 2020, Energy Statement V3 by Ensphere dated June 2022, Whole lifecycle carbon assessment V5 by Ensphere dated June 2022, Fire engineering RIBA stage 3 fire strategy report by Clarke Banks dated 19.03.2020, Structural inspection report by TZG Partnership dated April 2020, Basement Impact Assessment rev 3 by CGL dated June 2020, Contamination Investigation by Risk Management dated February 2020, Phase I non-intrusive desk study by Risk Management dated February 2021, Unexploded ordnance threat assessment by Risk Management dated 15/02/2021, Noise and vibration impact assessment by Sandy Brown dated 22/06/2020 and addendum dated 22/07/2022, Air quality assessment by Wyg dated April 2020, Daylight and sunlight report V1 by Point 2 Surveyors dated June 2020 and addendum dated 21/07/2022, Affordable Housing Statement by DS2 LLP dated 15/06/2020.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Detailed drawings / samples</p> <p>Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:</p> <p>a) Details including plans, coloured elevations and sections at 1:20 of all new windows (including jambs, head and cill), brise soleil, ventilation grills, external doors, screening, balustrades, parapets, planters and lighting fixtures;</p>

	<p>b) Plan, coloured elevation and section drawings, including fascia, pilasters, transom and glazing panels of the new shopfronts at a scale of 1:20;</p> <p>c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site). Samples of materials to be provided at a suitable size (eg. 1x1m) and alongside all neighbouring materials;</p> <p>d) Detailed section drawings at 1:20 of typical external façade and mouldings.</p> <p>The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.</p>
4	<p>External fixtures</p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.</p>
5	<p>Building contract</p> <p>No demolition works shall commence until a solicitors certificate (from a solicitor holding a practising certificate issued by the Solicitors Regulation Authority) confirming that a contract (or contracts) has/have been let for the construction of the approved development has been submitted to and approved in writing by the local planning authority. The solicitors certificate shall include a summary of the scope of works covered by the contract(s) and identify the key milestones and dates.</p> <p>Reason: In order to safeguard the character and appearance of the streetscene and the special historic interest of the area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.</p>
6	<p>Details of basement engineer</p>

	<p>The development hereby approved shall not commence (excluding demolition to existing slab level) until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.</p> <p>Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.</p>
7	<p>Basement construction</p> <p>The basement development shall be constructed in accordance with the method and recommendations set out in the following documents: Basement Impact Assessment Report (BIA) by Card Geotechnics Ltd Rev 3 dated June 2020; Structural Stage 3 Report by TZG Partnership Rev P1 dated April 2020 (Appendix D of BIA) (SSR); and Basement Impact Assessment Audit by Campbell Reith dated 13/07/2021.</p> <p>Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.</p>
8	<p>Residential internal noise standards</p> <p>The internal noise levels in the dwellings hereby approved shall not exceed an indoor ambient noise levels in unoccupied rooms of 35dB(A) LAeq,16hour (07:00-23:00 hours) and 30dB(A) LAeq, 8hour (23:00-07:00 hours) and individual noise events shall not normally exceed 45dB LAm_{ax} during the night (23:00-07:00 hours).</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
9	<p>Plant noise standards</p> <p>Prior to use, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/</p>

	<p>equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> <p>Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
10	<p>Anti-vibration measures</p> <p>Prior to use, machinery, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
11	<p>Asbestos survey</p> <p>Pre-commencement the developer must either submit evidence that site buildings were built post 2000 or provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to occupiers. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority (LPA) for approval before commencement. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation.</p> <p>Reason: To protect occupiers of the development from the possible contamination arising in connection with the buildings on the site in accordance with policies A1 (Managing impact of development), C1 (Health) and CC5 (Waste) of the London Borough of Camden Local Plan 2017</p>
12	<p>Small scale ground gas and vapour condition:</p> <p>Within 6months of first occupation a post construction radon gas and vapour investigation assessment report [where necessary incorporating a Remediation Strategy (RS)] and Verification Statement (VS) shall be submitted to, and approved in writing by, the local planning authority.</p>

	<p>Where remedial measures are implemented to protect end-users of the development they shall be maintained.</p> <p>Reason: To ensure the risks to the health of future occupants are minimised in accordance with policies A5 (Basements) and C1 (Health and wellbeing) of the London Borough of Camden Local Plan 2017.</p>
13	<p>Unexploded ordnance threat</p> <p>The development shall be carried out in compliance with the risk mitigation measures and recommendations set out in the Unexploded Ordnance Threat Assessment by Risk Management Ltd dated 15 February 2021 ref: MSP/RML 6930.</p> <p>Reason: To ensure the risks to construction workers and future occupiers are minimised in accordance with policy A1 (Managing impact of development) of the London Borough of Camden Local Plan 2017</p>
14	<p>Accessible and adaptable dwellings</p> <p>All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2).</p> <p>Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the Camden Local Plan 2017.</p>
15	<p>Waste storage / removal</p> <p>The basement refuse and recycling store shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.</p> <p>Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policies A1 and CC5 of the Camden Local Plan 2017.</p>
16	<p>Delivery and refuse items</p> <p>All refuse and recycling bins, delivery cages, trolleys and any other items linked to deliveries and collection in association with the development hereby permitted are to be stored within the buildings and only brought out onto the public highway when deliveries are being made or refuse collected and returned to within the building immediately thereafter.</p> <p>Reason: In the interests of visual amenity and to prevent obstruction and inconvenience to users of the public highways, in accordance with policies A1, CC5 and T1 of the Camden Local Plan 2017.</p>

17	<p>Installation of cycle parking</p> <p>The cycle storage area with space for 7 spaces as shown on drawing ref: 297_P20.100 rev B shall be provided in their entirety prior to the first occupation of the development, and permanently retained thereafter.</p> <p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the Camden Local Plan 2017 and table 6.3 of the London Plan 2016.</p>
18	<p>Construction related impacts – Monitoring</p> <p>Air quality monitoring shall be implemented on site. No development shall take place until</p> <p>a. prior to installing monitors, full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they have been installed in line with guidance outlined in the GLA’s Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;</p> <p>b. prior to commencement, evidence has been submitted demonstrating that the monitors have been in place for at least 3 months prior to the proposed implementation date.</p> <p>The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved.</p> <p>Reason: To safeguard the amenity of adjoining premises and the area generally in accordance with the requirements of policies A1 (Managing the impact of development) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.</p>
19	<p>Non-road mobile machinery</p> <p>All non-road mobile machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and phases of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phases of the development.</p> <p>Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies CC1, CC2 and CC4 of the Camden Local Plan 2017.</p>
20	<p>Details of mechanical ventilation</p>

	<p>Prior to commencement of development (excluding demolition to the existing slab level and site preparation works) on site, full details of the mechanical ventilation including air inlet locations and filters shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from busy roads and other relevant sources of emissions and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.</p> <p>Reason: To protect the amenity of residents in accordance with London Plan policy 7.14. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies TC1, A1 and A4 of the Camden Local Plan 2017.</p>
21	<p>NO2 filtration details</p> <p>Prior to occupation, evidence that an appropriate NO2 filtration system on the mechanical ventilation intake has been installed and a detailed mechanism to secure maintenance of this system should be submitted to the Local Planning Authority and approved in writing.</p> <p>Reason: To safeguard the amenities of the prospective occupiers, adjoining premises and the area generally in accordance with the requirements of policies A1, CC1, CC2 and CC3 of the Camden Local Plan 2017.</p>
22	<p>Bird and bat boxes</p> <p>Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy A3 of the Camden Local Plan 2017.</p>
23	<p>Breeding bird protection</p> <p>The proposed demolition or any site clearance should be undertaken outside the breeding bird season (i.e. it should be undertaken in the period September to January inclusive). Should it prove necessary to undertake demolition or clearance works during the bird nesting season, then a pre-works check for nesting birds should be undertaken by a qualified ecologist. If any active nests are found, works should cease and an appropriate buffer zone should be established (the</p>

	<p>qualified ecologist would advise). This buffer zone should be left intact until it has been confirmed that the young have fledged and the nest is no longer in use.</p> <p>Reason: In order to ensure the development safeguards protected and priority species in accordance with policy A3 of the Camden Local Plan 2017.</p>
24	<p>Bat protection</p> <p>During any internal or external demolition of buildings or any site clearance, a precautionary measure is required that all contractors are aware of potential roosting bats and that external features such as roof tiles and other features which may support bats (i.e. areas with cracks or holes providing access routes for bats) should be removed by hand. There is a required formalisation of a protocol as to the steps to be taken in the event that a bat or bats is/are found during the demolition works. Should bats or their roosts be identified then works must cease and the applicant will be required to apply for, and obtain, a European Protected Species Licence and submit proof of this to the authority before work recommences. Additionally they will be required to submit a method statement detailing features to be retained and added to site to maintain and replace roost and foraging features on the site.</p> <p>Reason: In order to ensure the development safeguards protected and priority species in accordance with policy A3 of the Camden Local Plan 2017.</p>
25	<p>Air source heat pump details</p> <p>Prior to commencement of above ground works (excluding demolition and any site preparation works), details, drawings and data sheets showing the location, Seasonal Performance Factor of at least 2.5 and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a metering details including estimated costs to occupants and commitment to monitor performance of the system post construction. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p> <p>Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.</p>
26	<p>Water use</p>

	<p>The development hereby approved shall achieve a maximum internal water use of 105litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the Camden Local Plan 2017.</p>
27	<p>Diversion of waste from landfill</p> <p>The demolition hereby approved shall divert 95% of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to reducing waste and supporting the circular economy in accordance with the requirements of Policy CC1 of the London Borough of Camden Local Plan 2017.</p>
28	<p>Overheating assessment</p> <p>Prior to works commencing on the superstructure, a Dynamic Overheating Analysis shall be provided to demonstrate that the residential units do not overheat without being reliant on mechanical cooling. This should follow the CIBSE TM59 methodology for the London Design Summer Year 1 (DSY1) weather file: 2020s, High emission, 50% percentile scenario. The applicant should demonstrate that the Mayor's cooling hierarchy has been followed and that overheating risk has been reduced as far as possible, and that active cooling is not proposed unless it can be demonstrated it is required and that all other measures have been considered first. Where active cooling is required, details demonstrating the efficiency of the system shall be submitted to and approved by the Council prior to the equipment being installed.</p> <p>Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with Policy CC2 of the Camden Local Plan 2017.</p>
29	<p>Fire statement</p> <p>No above ground new development shall commence (excluding demolition and any site preparation works) until a Fire Statement has been submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require</p>

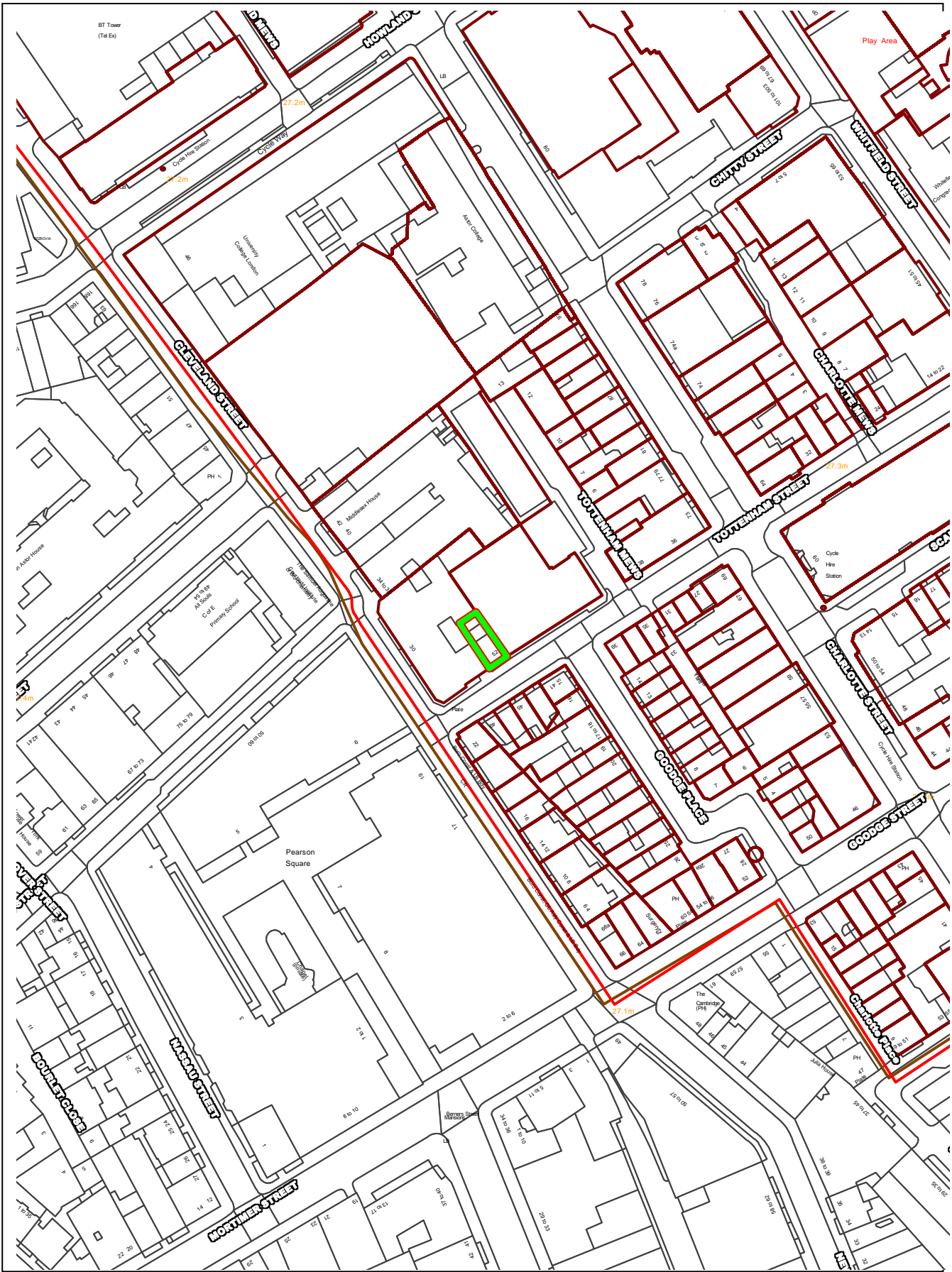
	<p>level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The relevant Phase of the development shall be carried out in accordance with the approved details.</p> <p>Reason: In order to provide a safe and secure development in accordance with policy D12 of the London Plan 2021.</p>
30	<p>Office unit</p> <p>Notwithstanding the provisions of Class B of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the ground floor commercial premises shall only be used as offices (Class B1a).</p> <p>Reason: To ensure the development contributes towards a successful and inclusive economy in accordance with Policy E1 of the London Borough of Camden Local Plan 2017.</p>

27 Informatives

1	<p>This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.</p>
2	<p>Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).</p>
3	<p>Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.</p>
4	<p>All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at</p>

	<p>https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319 or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)</p> <p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.</p>
5	<p>This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.</p>
6	<p>This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.</p>
7	<p>Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.</p>
8	<p>Mitigation measures to control construction-related air quality impacts should be secured within the Construction Management Plan as per the standard CMP Pro-Forma. The applicant will be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included.</p>
11	<p>All references to use classes within this permission are to the use classes as stated in the Town and Country Planning (Use Classes) Order 1987 as at 31 August 2020.</p>

12	It is recommended that the residential units achieve 'Secured by Design – Silver' accreditation. You can find further information about 'Secured by Design' by reading the following guide: https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019.pdf
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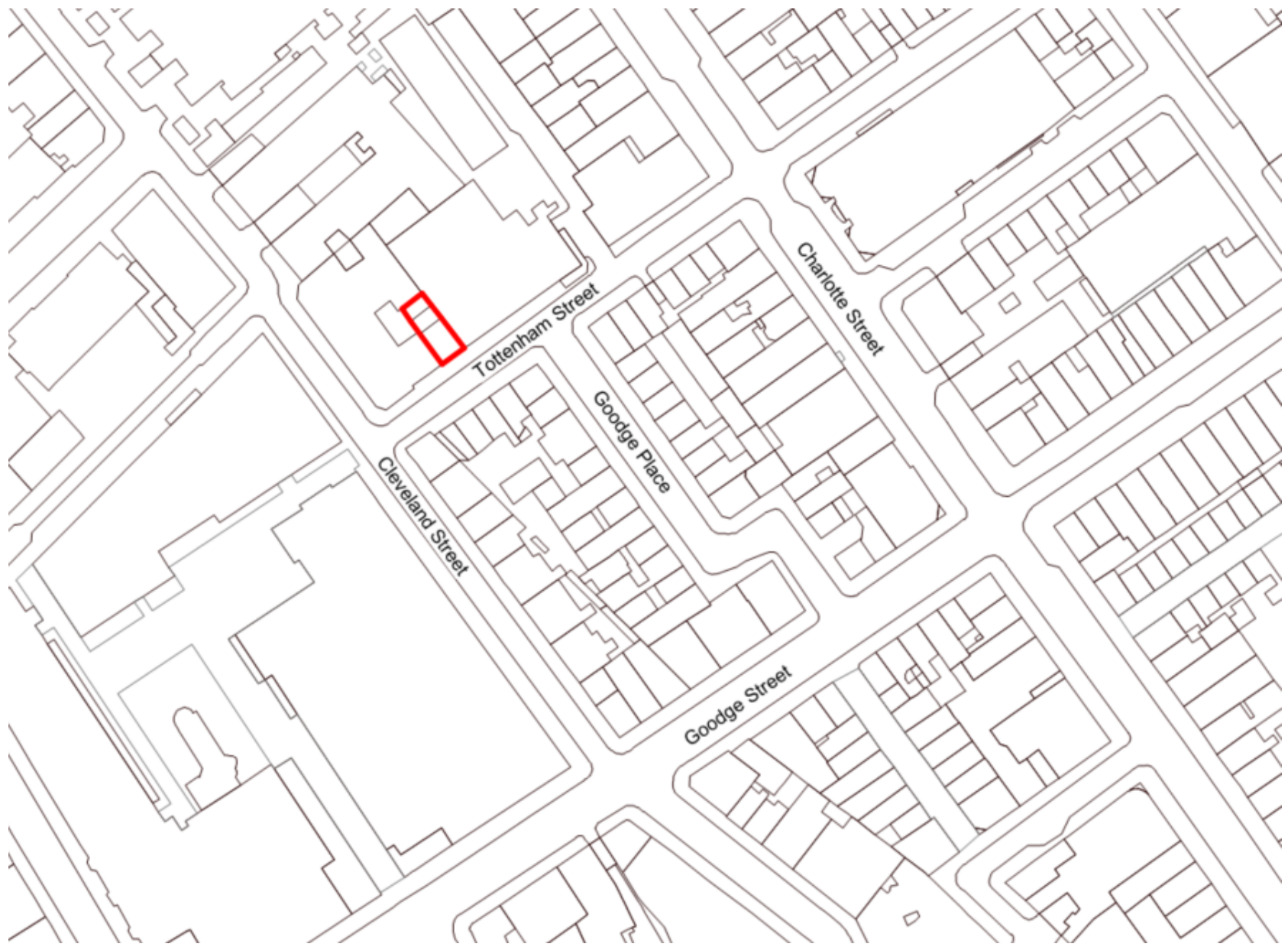
Application No: 2020/3043/P

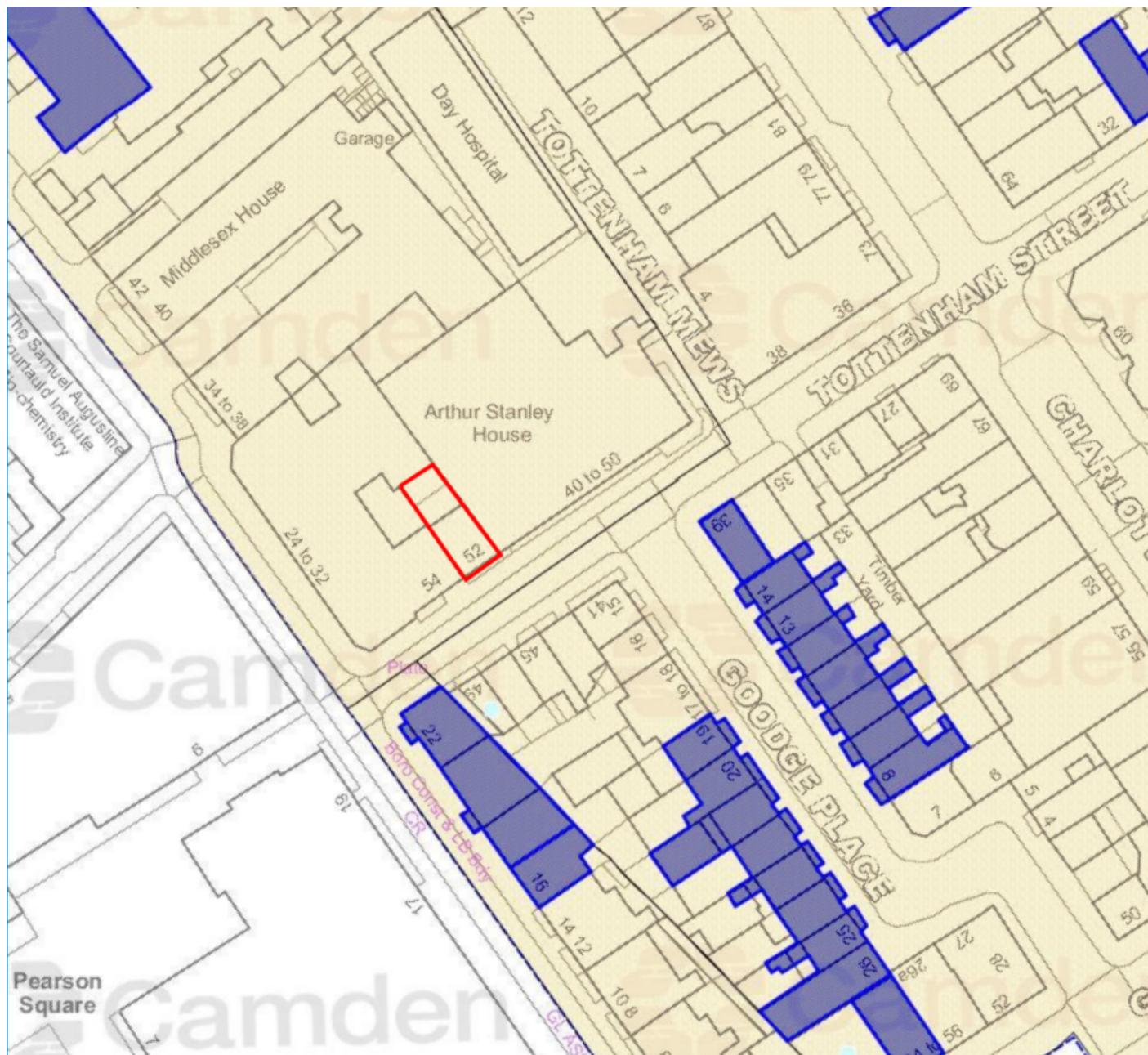
**52 Tottenham Street
London
W1T 4RN**

**Scale:
1:1527
Date:
14-Jul-22**



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- ⊖ Listed Building
- I
- II
- II*
- Conservation Area







52 Tottenham Street front facade (basement lightwell has been infilled in recent history)



Contrasting scale between the existing building and Arthur Stanley House



Residential front door



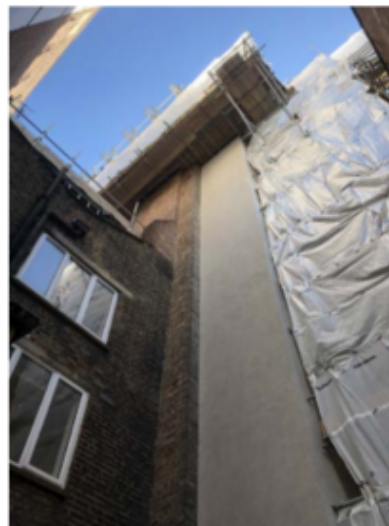
Detail on residential doorstep



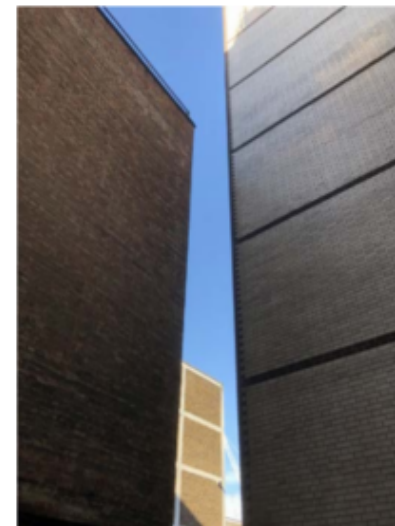
View of back elevation from above the ground floor extension.



View of back elevation, from above the ground floor extension



Contrast in scale between the existing building and 30 Cleveland Street



Small gap between the site's rear wall on the left and Arthur Stanley House on the right



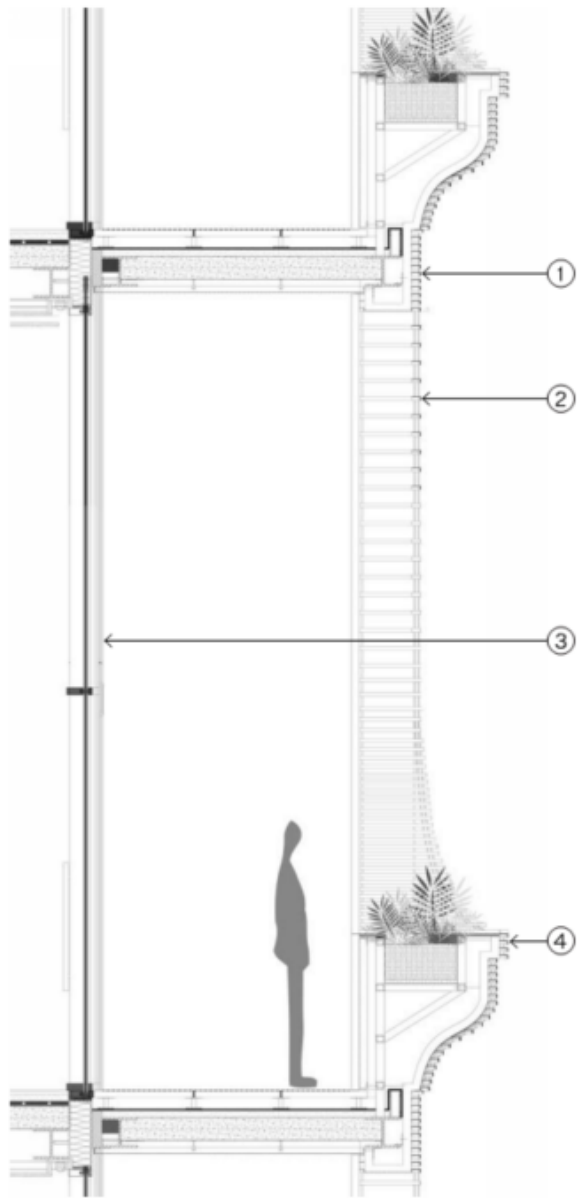
Proposed building south-north



Proposed building from Cleveland Street to the east



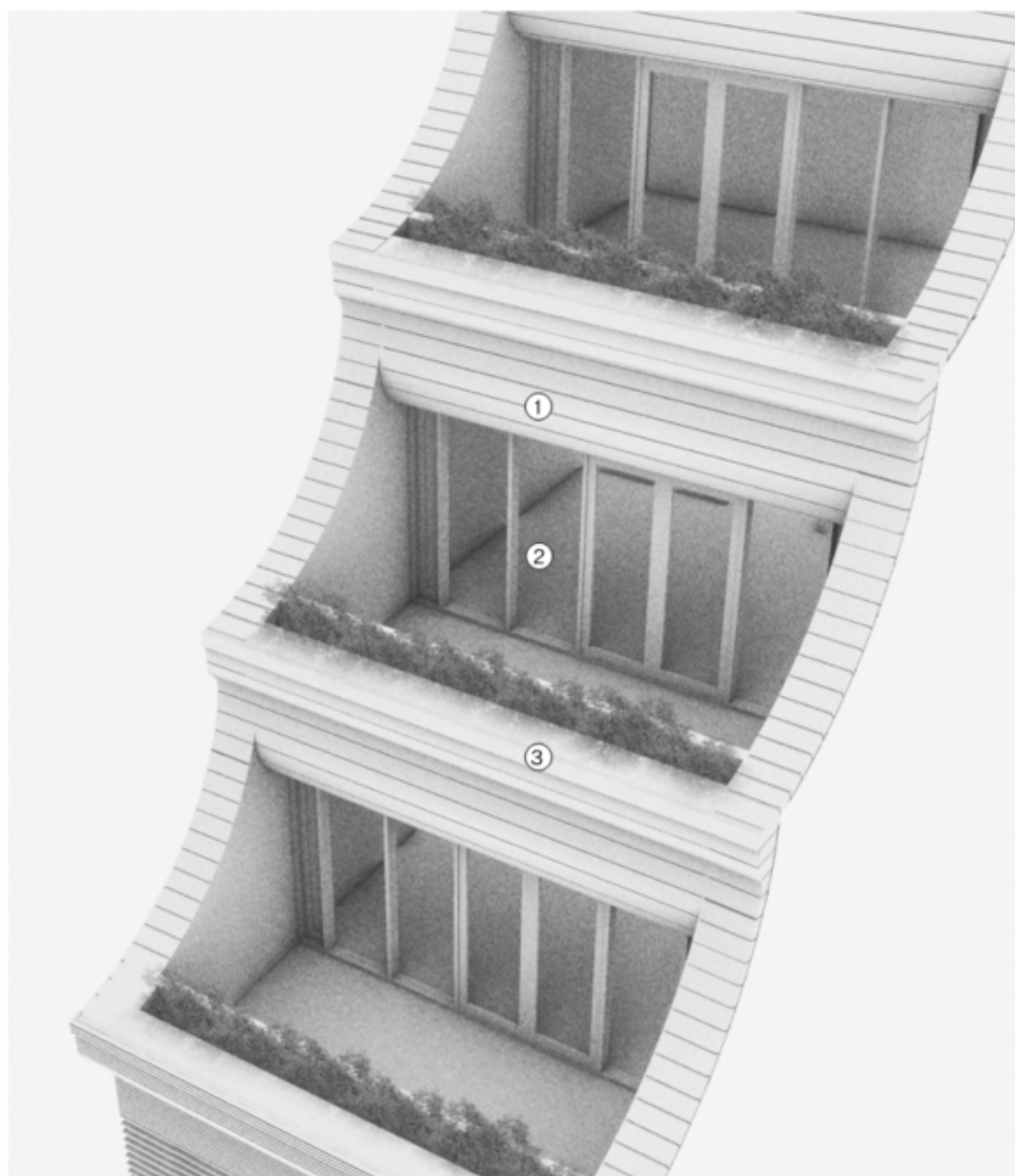
Proposed view from the junction of Tottenham Street and Goodge Place showing how the proposed building respects the prevailing shoulder height.



Typical section through front facade to the duplex units



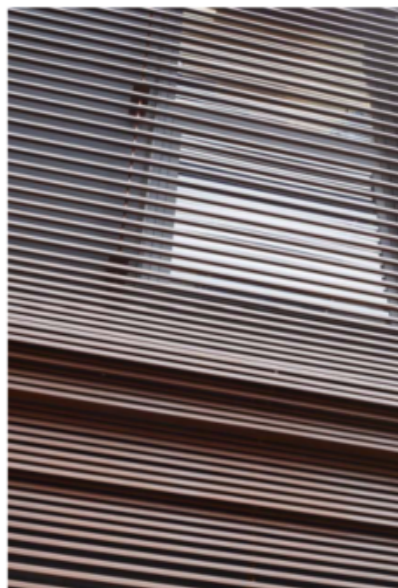
Detail view of the front facade to the duplex units



Detail view of the upper levels of the building with its scalloped flank walls



Metal samples sourced and then assessed against the stock brick context of Fitzrovia



Horizontal metal louvres – Alex Monroe Workshop (DSDHA)



Bronze coloured metal cladding panels



Oversailing metal louvres – Novartis Campus (Peter Markli Architects)



Bronze coloured metal sample



Detailed view of proposed elevation



Verified View - Existing - Goodge Place



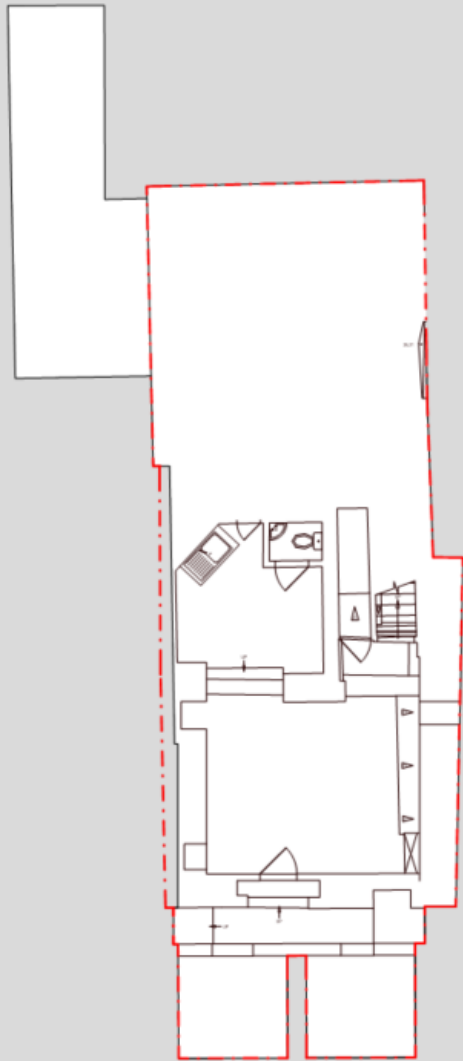
Verified View - Proposed - Goodge Place



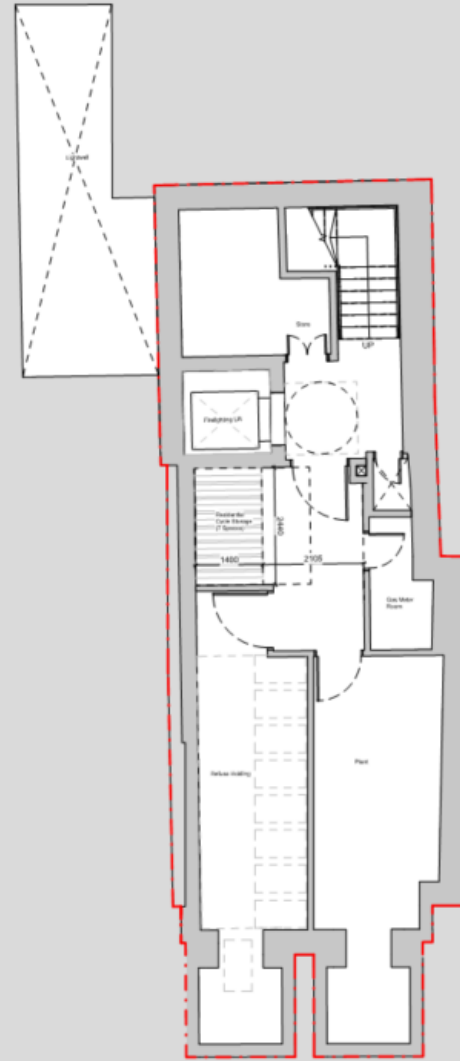
Verified View - Existing - Pearson Square



Verified View - Proposed - Pearson Square



1 Existing Level B1
P10.100 1:50



1 Basement Plan
P20.100 1:50

